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# THE CALCUTTA REVIEW.

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VOLUME CXXXII.

*January 1911.*

*No man who hath tested learning but will confess the many ways of profiting by those who, not contained with stale receipts, are able to manage and set forth new positions to the world; and were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.*—MILTON.

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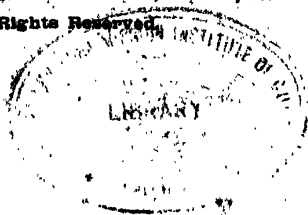
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# THE CALCUTTA REVIEW.

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## Art. I.—HISTORY OF THE PRESS IN INDIA—XI.

### I.—MANUSCRIPT NEWSPAPERS.

IN promoting education in India, one and not the least important of the avowed objects of the Government was to form an intermediate class which would be able to act as the interpreter between the ruling power and the people of the country and prevent as far as possible those lamentable mistakes and misconceptions of the motives of the British Government which have been only too frequent. One of the first and most obvious consequences of the formation of this class has been the growth of a Press modelled more or less on the European system, and discussing the acts and intentions of Government with a freedom and independence which their elder brethren cannot surpass.

No object of a Government has ever been carried out more surely or speedily than that which we have just named. The educated class and its inevitable corollary, the Press, have, at any rate, in Bengal, carried out the work designed for them with alacrity as great as their most enthusiastic supporters could have desired. Whether they have done so in the style and tone most congenial to the Government which watched over their infancy, might be questioned, but that they have done their part *con amore* is undeniable; an unfailing class instinct has

pointed out to them that the *rôle* of interpreting the views and wishes of the Government of the country to the people, and by consequence, of interpreting the views and wishes of the people to the Government, assigns to them an influence and importance second only to that of the Government itself, and in some respects, even superior to it.

In India from the very early days—as far back as the time of the great Hindu jurist Manu—the manuscript newspapers formed an important public institution as the media for the purveying of news from one place to another and especially from distant dependencies to the seat of Government. They absorbed energies of many people either in the service of the State or in that of influential noblemen and princes. They also formed the channels of communication of the ancient spy system of India which was chiefly concerned with the criminal investigation in the country.

The circulation of such manuscript newspapers was, of course, limited, and rose and fell according to the exigencies of events. Stirring public events not only gave great impetus to their circulation, but also made them distinctly paying. In the ancient Indian annals, the records of such manuscript newspapers are not very many, and in the ancient Hindu literature and poetry there are occasional glimpses of how they catered.

But there it was without doubt as a humble and small thing for supplying news pure and simple. The primitive Indian newspapers were all in manuscript. Occasionally they contained opinions or criticisms on the measures of the people in authority and the rulers of the land. It is also certain that the ancient news-writers of India did enjoy some degree of liberty of writing and speech. In this way the Indian princes and

people managed to get news quite regularly from all parts of the country.

"The early Indians were very curious about news and all kinds of information and used to seize all means in their power to gratify their curiosity. The bazar,\* where all sorts of people most did congregate, was the great centre from which news emanated and circulated through the town and the district. Travellers from all parts flocked thither and retailed the information they brought to the townsmen who were attentive listeners. The wayside caravanserais were also great percolators of news. Pilgrims and nomads wandering from place to place used to halt there, communicated gossip and news of varying degrees of authenticity about men and measures to their comrades with great freedom and profusion."

Under the Afgans and the Moguls the manuscript newspapers of India developed in circulation, utility and strength in various forms. Like French *moniteurs* the most trustworthy channels of communication from Government reporters to the Court at Delhi became the *wagas* or news-letters. These were official organs, and their writers were like the modern Press Correspondents with the Government. *Wagane-gaur* or news-agent or intelligencer became a regular department of the state to supply news, descriptions of events and ceremonies, complaints, etc., to the Court

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\* Even at the present day when there are so many other channels of information for the people, the bazar (market) still retains its important place as the centre of obtaining news; and the bazars of some of the chief cities of the Punjab and North-Western Frontier are still the chief, if not the only, sources of information about Afghanistan and the regions beyond in Central Asia. Caravans passing through on stated days are awaited by the inhabitants as anxiously as the newspaper is in the morning and evening by others. The speed with which important news sometimes travel and spread in India is mysterious. To take a recent instance, it is a fact noted at the time that the news of the Manipur disaster of 1891 became known and the whole affair was talked about in the bazars of Allahabad and other places in the north before the public got the information through ordinary channels in the newspapers.—R. P. KARKARIA in *East and West*, 1902.



at regular intervals in the form of *waqas* or news-letters. They were regularly written by *waqaya-nevis* or news-writers (like modern Press Correspondents) in the news-books of the state which were kept at all centres of the Government. The head of the Department was called *waganegaur* or State Intelligencer.

*Seir-ul-Mutagherin* thus writes on the State Intelligence Department as it flourished during the Mogul regime:—

“The Vacca-nuvis or Remembrancer or Gazetteer, and the Savana-nuvis or Histriographer, and the Harcara or Spy, were appointed for writing down the events that might happen in the respective provinces, territories and districts of their residence. Their duty was to inhabit such cities and towns as were the seats of command and Government, to the end that they might have it in their power to write down at daybreak such events as should have happened the whole day and night before, and to send the paper to the Emperor. There were posts established that carried the dispatches, with all speed, and in all weathers to Court, where a Daroga or Inspector examined the same; after which he reduced to a concise exposition the substance of such as deserved the Imperial notice, presenting at the same time, the whole detail as forwarded by the provincial intelligencers. Nevertheless, whatever amongst these papers was addressed personally to the Emperor, was sacred and could not be set open by any other hand than his own. It was perused by the Monarch himself who could alone break the seal, and he alone ordered what he thought proper about the contents. By these means the Emperor was informed of every private man's affairs. He knew what one had done to his neighbours at four hundred leagues from Court and what the latter had done to others; and what such an one wanted from such. Another, and what this other pretended from his antagonist, he knew all that, and gave directions accordingly. Nor was it uncommon for him to be informed by such a channel of the request and wishes of the concerned ones; nor at all extraordinary to see directions arrive at the cities of their

residence long before their private petitions could have reached the Court. So that the petitioners often had gained their cause in the middle of a distant province, some time before they had agreed upon the wording of their petitions. But all this correspondence was for the Emperor's personal inspection only; for if at any time it came to appear, that the secret Gazetteer, or the Remembrancer, or any other public officer, had himself found means to acquire the least interest with the Imperial Prince or with Grandees of the Court, or with the men in eminent station, or was in any connection with them; such a man was forthwith dismissed, and another appointed in his stead.\*

In short, as amongst the arts of Government, information and knowledge of the state of the land and of its inhabitants hold a principal rank; and the interest of the Legislators in gathering knowledge, is always to tranquillise and quiet the people of God, by whose providence the Princes and Rulers have come to have the command and power over them; and as the happiness and ease of the subject are their main concern; so to obtain the above end, no less than four persons have been appointed to discharge the duties of this one office of intelligence, *to wit*, the Vaccaynugar or Remembrancer, the Savanah-nugar or Gazetteer, the Qhofiahneviss or Secret-writer, and the Harcara or Spy, to the end, that should any one or any

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\* And to this purpose there are yet extant notes written by the Emperor Aoreng-zib's hand, to his Vezir, Asseid-ghan; and here is a copy of one: Copy of a Note of Aoreng-zib Aalem-Ghir to his Vezir—"My grandson, Mahmed-muez-eddin (he that reigned afterwards under the name of Djehandar-Shah) has been writing to me to recommend N. N. Remembrancer, of such a province. Of course something must be done for him; but yet, the man is to be dismissed from that office directly, that the Gazetteer may remember to write Gazettes no more:

As interest has taken place,  
Abilities have been obscured;  
And a hundred sorts of films,  
Have covered his eyeballs."

But the answer he sent to his grandson himself is still more curious. Here it is:—

"Dutiful sons, that are acquainted with their father's temper: do not write recommendations in behalf of Gazetteers, and such sort of people. Your request is granted, and the man has been promoted accordingly; but yet he has been dismissed from that office. Do not commit the like offence again." *Seir-Mutagherin*, Vol. III, pp. 173-175.

In the *Storia Do Mogor* by Niccola Manucci (Indian Texts Series, Vol. II, p. 128) we find Aurangzeb sending with an embassy to Persia "the usual officials, a *wagiah-navis* and a *khufi-yah-navis*, who are the public reporter and the secret reporter."

two of them attempt to send in writing an unfaithful account, still the truth and real state of things might soon be investigated by comparing their information with the accounts by the two or three others; such a discovery is always followed by the disgrace of the faithless or uninformed writer, who never failed to be dismissed from a post of honour and affluence, and to be consigned to shame and distress."

Mr. William Irvine,\* I. C. S. (retired), thus writes :—

"It is impossible to say when the practice of keeping a Court Diary or Journal began, but it must have been at an early period. The first formal account we have of the system is in the *Ain-i-Akbari*; see Blochmann's translation, Calcutta (1873), page 258, Ain 10 of Duftar II.

WAQI'AH-NIGAR :—An instance occurs early in the reign of Farrukhsiyar (1713-1719) when Chhabela Rām, Governor of Akbarābad, complains that the deputies of the *Waqi'ah-Nigār* write whatever comes into their heads, because they were not allowed by him to act to their own profit. As a fact (so the Nazim asserted) the country was a hundred-fold more peaceful than under previous governors, and travellers were passing to and fro in complete tranquillity. To this Farrukhsiyar replied that after all the office of News Reporters was to some extent worthy of trust, and how could it be supposed they wrote without finding out the facts.—LETTERS OF CHHABELA RAM NAGAR, B. M. MS. ORIENTAL NO. 1776.

SIWĀNIH-NAVIS.—*Mirāt-i-Ahmadi*, lithographed edition II, 117, composed in 18th century.

The Siwānih-navis of the Province and Pargana is in the Department of, and appointed by, the Dāroghah of the Dāk for all the subahs of the whole kingdom. He holds the rank (maṣṣab) of 20 *suwār* while he continues in office and is subordinate to the Dāroghah of the Dāk. The difference between a wāqī'ah-navis and a Siwānih-navis is this—that in the Siwānih both events happening and rumours are entered.

\* Mr. Irvine also informs me that he has in his possession two volumes containing copies of *Akhbars* from Delhi ranging from 1789 to August 1806 sent by Rai Tek Chand, English Akhbar-navis at Delhi. I am much indebted to Mr. Irvine for his above note.

In former times it was the custom to have *Waqā-i-nigār* only. Many were suspected of being influenced in the reports they made of events. Then Siwānih-navis also called Khufiyah-navis [concealed reporters] were appointed. These men were to live in the Province unknown and make reports. Afterwards, when they were directed to superintend the postal work they could no longer remain concealed. Every week the sheets of the *Waqā'i* and of the Siwānih, the *Harkarahs* [spies] reports and the '*Araiz* [Despatches] of the Nazims and Diwans together with the Present State of the Treasury were placed in a *nalwah* [literally "little tube"—query a piece of hollow bambū into which the letters were inserted] and this was placed in the charge of *Mayurah* [Dawk-runners or palki-bearers also spelt Meura—query derived from the Meo tribe? See Blochmann's *Ain*, p. 252, and C. R. Wilson's "Surman Diary" printed but not published and Father Ippolito Desideri, S. Jesuit's Ms. Memoir]. The letters, etc., are thus conveyed to the Emperor's Court. At Court the Dāroghah of the Dāk lays them before the Emperor. Like the provincial Wāqī'ah-nigar there are in the separate parganas, in the Nazim's office and the other offices, persons deputed by him. [The Provincial Wāqī'ah-nigar?]. *Farmāns*, orders from the *Khālisah* office [Head Revenue office at Court] addressed to Nazims and Diwans with regard to the resumption of *jāgirs* of officials (*mansabdārs*), dismissals, confirmations and other matters, when received by post from Court are distributed by him (? the Siwānih-navis) to each person concerned. Wherever a mace-bearer or gentleman trooper (*ahadī*) is deputed to bring any order from His Majesty—or to convey a present from Court, a written order (*dastak*) under the seal of the Dāroghah of the Dāk is given him addressed to the *Mayurah* on the road directing them to obtain an escort from the *Faujdār* or *Zemin-dār* or *Thanahdār* from one boundary of their district to the other. In the same manner, whenever they return, a *dastak* sealed by the *Siwānih-navis* of the *Sūbah* is issued, and the imperial messenger is conducted back. All these things appertain to the office of the *Siwānih-navis*.

HARKARAH (SPIES), *Mirat-i-Ahmadi*, p. 118.—This appointment to a Province rests with the Dāroghah of the

*Harkārahs* at Court. They report news from all directions to the Nazims of the province. They pack up their sheets of news in an envelope which is sent to Court in the *nalwah* (tube) of the Post (Dak). These deputies like those of the *Wāqī'ah-navīs* and the *Siwānih-navīs* sit in the Nazim's office and other offices. These three men [*Wāqī'ah-navīs* and *Siwānih-nigār* and *Harkarah*] are also known as *Akhbār-navīs* [News Writer].

SIWANI-NIGAR : F. GLADWIN, 1793, p. 44.—An officer stationed by the Mogul Government in distant provinces to transmit weekly to Court an account of all public transactions such as the collection of the revenues, the management of the lands and the state of the country.

SAME, p. 52 : WAKANAGAR.—A writer of news or occurrences. There were formerly officers established under this name throughout every part of the Empire whose business it was to transmit weekly to Court by the post an account of the collection, the management of land \* and the matters which came to their knowledge respecting the country and the revenues. A head Wakanagar resided at Patna and his deputies were dispersed through every district.

HARKARAH : DANISHMAND KHAN (ALI), BAHADUR SHAHNA-MAH. Entry of 112 Ramazan 1120 H. 2 years of B. S.—The word came from the usage of the Dakhn. There were 4,000 employed and they were scattered all over the kingdom.

DAROGHAH OF THE DAK.—*Māleimāt-ul-Afāq*, B. Museum Ms., No. 1741. This man has under him all the *Mayūras* who carry the letter post from stage to stage throughout the kingdom. The official diary writers (*Wāqī'ah-nigār*) and the reporters of events (*Siwānih-nigār*) are also under his orders.

WAQI'AH-KHWAN.—*Māleimāt-ul-Afāq* Ms., No. 1741. The Report Reader of a great noble whose business it is to read to His Majesty all the reports (*Wāqī'ah*) that are sent in from the provinces.

DAROGHAH OF HARKARAH.—*Māleimāt-ul-Afāq* B. M. No. 1741. This Head of the spies receives from the

\* This is properly the duty of the *Siwānih-nigār*.

*Harkaraks* (spies) information of every sort about rumours and events which he forthwith communicates to His Majesty.

In Vol. II, Part II of Wilson's *Early Annals of the English in Bengal*—Surman Diary—printed but not yet published will be found how the Company's officials at Calcutta obtained the attendance of the *Wāqī'ah-navis* to record the ceremonial of their reception of the Imperial farman.

Niccola Manucci, the Venetian, who lived in the Court of Aurangzeb for a considerable time, thus writes :—

“ It is a fixed rule of the Moguls that the *vaquia-navis* (*waqiah-navis*) and the *cofianavis* (*khufiyah-navis*), or the public and secret news-writers of the empire, must once a week enter what is passing in a *vaquia* (*waqiah*)—that is to say, a sort of Gazette or mercury, containing the events of most importance. These news-letters are commonly read in the King's presence by women of the *mahal* at about nine o'clock in the evening, so that by this means he knows what is going on in his kingdom. There are, in addition, spies, who are also obliged to send in reports weekly about other important business, chiefly what the princes are doing, and this duty they perform through written statements. The King sits up till midnight, and is unceasingly occupied with the above sort of business.”\*

There were also private persons stationed in various towns whose business it was to collect all the news they could and write it out in their letters to be sent to their correspondents in distant places. They were called news-writers or *akhbar-navis*. The native princes also maintained a regular corps of news-writers in their dominions whose business was to keep their masters well informed of what was going on around. Similar

\* *Storia Do Mogor* by Niccola Manucci (Indian Text Series, Vol. II., pp. 331-32.)

news-writers were also in the employ of prominent merchants and other citizens; they resided in chief cities and transmitted regularly news-letters to their employers.

The *wagas*, as I have already said, were confidential public despatches or documents, but the private news-letters were semi-public and were handed about and read out to large circles. These *akhbars* enjoyed a considerable degree of liberty. However surprising it might seem in absolute governments, yet it is certain that the historians of the east wrote with more freedom concerning persons and things than writers have ever dared to do in the west. The government of the Hindoos of ancient times was, no doubt, despotic, but no trace has been discovered in their history or law book of any restriction on writing. In those times, all was open to research and discussion, and there were no limits to their acquirements, but the powers of their own minds. The Mahomedan Emperors who succeeded them gave every encouragement to learning. The Institutes of Timur and Akbar abound with incitements to their subjects to cultivate their minds and improve their knowledge. 'I ordained,' says Timur, 'that in every town and in every city a mosque and a school, a monastery and an almshouse for the poor and indigent, and an hospital for the sick and infirm, should be founded.' Their colleges were crowded with learned men, and in these schools there were no restraints on the liberty of investigation.

"The Mahomedan historians of Hindoostan wrote with freedom on the conduct and duties of their sovereigns, and some of their rulers acted up to the noble principles which their chroniclers inculcated. Abul Fazl states that Akbar was visible to everybody twice in the course

of twenty-four hours, and that he received their petitions without the intervention of any person and tried and decided upon them. Under his reign there was greater liberty indulged in petitioning, in education and in writing than was enjoyed at that period in England. Except religion all other subjects remained open for discussion during Mahomedan rule. The rights of their sovereigns, their duties, their privileges and their power over the people were discussed as freely and as fairly in the books of their learned men as the rights of the English people are in the ancient commentaries upon their laws. From their histories we learn that while every act and speech of the monarch and his princes were recorded to form a history of his reign, his foibles, his follies and his weaknesses were open to the satire of the poet and the wit of the household fool. In Mahomedan colleges and schools there seems to have been no restraint on free discussion. Before the arrival of the Europeans in the East, India enjoyed a freedom of discussion as extensive as any part of Europe before the invention of the press, for on written books, the only means of circulating knowledge without type, there was no restriction." \*

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\* *Sketch of the Press in British India* by Liecestor Stanhope, 1823, pp. 4 and 23-24. Khafi Khan, the great Mahomedan historian, in his *Muntakhabat-Al-Lubab*, tells us that the death news of Rajaram of the House of Sivaji was brought by the *Akhbars* or newspapers to the Imperial Camp of Aurangzeb and that the common soldiers in this Emperor's time were supplied with the newspapers. He also tells us that Aurangzeb allowed great liberty to the news-writers or *Akhbar-nevis* in the matter of news, and cites a case of a Bengal newspaper commenting rather severely on the matter of the Emperor's relation with his grandson, Mirza Azim Oshan. In *Sair-ul-Mutaqherin*, there is mention made of Kaem Khan, son of Jafer Khan, head of the Post and Gazette Office (*Waqayanegaur*). Asaf Jah's minister, Azim-ul-Omrh, was originally a *Waqayanegaur*. In Aurangzeb's time Mirza Ali Beg was the Imperial Gazetteer or *Waqayanegaur*, and he was in constant attendance upon the Emperor. In his time the official intelligencer in Gujarat was Abdul Jaleel, a Syed of Belgram, who was also paymaster of the forces in that province.

In the early annals of the English in Bengal during the first half of the eighteenth century, the Company's servants frequently availed of these News-agents at Hooghly, then a centre of the Mogul Government in Bengal, to bring their



On the disruption of the Mogul Empire, the State Intelligence Department (*Waqayanegaur*) gradually ceased to exist, but the private manuscript newspapers or

grievances to the notice of the Court. The following are taken from the Bengal Public Consultations :—

March 27th, 1704-70—Ram Chandra's Instructions.—It is ordered that Ram Chandra, the *Vakil*, be sent at once to Hugli. He is to write down in his own language the following directions :—"He is to declare to the Governor, the *Buxie* (*Bakhshi*) and *Wacca Nevis* (*Wagdynavis*), that we have appointed him vacqueel in Hugli for the affairs of the English."

June 1st, 1714-853—Present to the Royal Messengers.—June 1st the two Gursburs, the Swanagur, the Buxey Naib, the Mufty and the Botard being come from Hugli to be witnesses of the public show and Rejoicing we made for the Honour of the King's Seerpaw, which that they may notify in their *Vacca's* (*Wagds*) to Court. It's necessary on that occasion to make them a small Present in Goods, etc."

On the 28th April and 5th May 1715 the following two remarkable entries occur :—

916—Complaints of Extortion at Cassimbazar.—Officers at Cassimbazar, or encouraging them to seize several of our Merchants, Factors, who provided goods for us on pretence of Custome, which the King excuses us from the payment of, and Wee having wrote severall addresses to the Duan complaining of the grievance which his Officers have not suffered our Vacqueel to deliver, Ordered Therefore now Wee are sending the customary yearly present to the Governor and Officers in Hugli that Messrs Samuel and Browne and William Spencer go to Hugli and in the Governor's Durbarr request the Vaccanagur (*Wagd negaur*) and News Writers to note the cause of our Complaint in the Vacca's (*Wagds*) and public Newspapers, by which means it will of necessity come to the Duan's knowledge and possibly induce him to order the money extorted from our people may be returned to him, or att least those under confinement be released and no more extorted from them.

919—The English Protest recorded in the News book—May 5th.—Messrs. Browne and Spencer being returned from Hugli the 2nd Instant delivered in a copy of an Article in the News Books entered at their Desire by the Vaccanagur (*Wagdnegaur*) the Translate of which is entered after this Consultation.

A copy of an Article in the News Books entered in it) at the desire of Messrs. Browne and Spencer by the Wackanagur (or Intelligencer).

Messrs. Browne and Spencer who are Members in the Government of Calcutta whom the Governour Mr. Hedges hath sent hither They on the Day of Adaulatt (or Justice) declared that by the Order of his Imperiall Majestie whatever they bought or sold was exempted from Custome that the Nabab conformable to that order had given his *Parwana* for our free trade since which the Droga of the Custome House att Muxsoosavad took from their Factors (who had bought Silk and Sugar on this Account) Custome by force upon this they writ a letter of request to the Nabab but his officers throwing Obstacles in the way their Vackiel had not an opportunity to present itt for which reason all their Factors refuse to receive Impress money for goods for their expected ships whose arrivall approaches that they were in hope this affaire being entered in the News-book, a Request will be made to the Nabab to exempt us (according to ancient usage) from Custome and that an Order will be issued forth for the restoring what hath been taken from their Factors by force.

Upon this the Wackanagur entered in the News Book according to Information given, that if for the future the Droga of the Cuttchurray did not refrain from exacting Custome from the English (conformable to the Imperiall Order, and the Duan's *Perwana*) and restore what he has hitherto violently exacted by obstructing the English affaires, great numbers of Merchants will suffer for in Stopping the English trade all the trade of Bengal is stopt.

Theres likewise entered by the Sanwannagr (*Sawannehnegaur*) and Eckbarnavis (*Akhbarnavis*) in their New Books, an article of the same intent and meaning with the above written

1025—Three Royal Rescripts—June 10th, 1717.—"Mr. Feake delivered a letter from Coja Surhaud in which He received three of the King's Royall Phirmauns

*akhbars* continued to circulate and became numerous for purveying the stirring political events that frequently occurred in almost all parts of Hindustan during these troubled times. When the great anarchy was over by the subjugation of the Mahratta Powers, and the British rule became consolidated under Wellesley and Hastings, the *akhbars* were quite vigorous in circulation.\*

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attested by the Cozzee of Dilly of Which He now gives as Two, one for Madrass and one for Surat, the other for Bengall. He left at Cassimbuzar. He likewise delivered an Attestation under the Seals of the Swannagur, Wackernagur, and the Herrcoradroga, Concerning the Cullundan Stolen from Contoo the Cassimbazar, Broker in which were several Bills of Debt on the Company.

1061—Presents for the Imperial Officers.—November 25th.—The Vaccanagur Swannagur Herrcora also the Cozzee's Naib Mufties Naib, and the Botard being come from Hugli to take Notice of the Ceremony's and Respect We mett and received the King's favours with It is necessary we give each of them a present on this Occasion to influence their giving a handsome account of it (to the Court).

All these authentic details clearly show that the Imperial News-agent or Reporter or Intelligencer was a powerful functionary in the Mogul *regime*.

\* In the summer of 1792 the public newspapers of Delhi stated that the Emperor had expressed to Madhaji Sindhia and the Peshwa his hope that they would enable him to recover the imperial tribute from the Bengal Provinces. In the *Calcutta Gazette* of the 15th April, 1813, the following occurs: "The late Lahore *akhbars* are principally filled with details of the progress of the united army of Runjeet Singh and of Futteh Khan, Vizier of Kabul, in the conquest of Kashmir." The same gazette of the 22nd April reported thus: "The Hindustan newspapers (*akhbars*) received since our last publication remove all doubt as to the occupation of Attock by the forces of Runjeet Singh."

Colonel James Tod transmitted to the Royal Asiatic Society in 1828 several additional files (altogether amounting to some hundreds) of original manuscript *Akhbars*, or newspapers of the Mogul Court. "The newspapers are principally of the reign of Bahadur Shah, from 1707 to 1712, a period," Colonel Tod remarks, "of considerable importance to Indian history, following immediately the war of succession between the sons of Aurangzeb, when the feudatories of Hyderabad, Bengal, Oudh, etc., erected their separate States, and the Jats of the Punjab and their brethren west of the Chumbul, those of Lahore and Bhurtpur. These documents will also, it is expected, throw a great light upon the real cause of the decline of the Mogul Power in India, *viz.*, the institution of *Jezeiya* or capitation tax which for ever alienated the Rajput Princes, one of whom, Rana Raj Singh, resisted it not only with his sword, but also with his pen."—The *Asiatic Journal*, Vol. XXVI, p. 335.

Mr. H. Beveridge, in the *Journal of the Royal Asiatic Society* for October 1908 thus writes on Colonel Tod's Newsletters of the Delhi Court:—

"The collection is thus described in Mr. Morley's *Catalogue of the Persian MSS. in the R. A. S. Library*—No. CXXXIII—*Akhbarat-i-Darbar Ma'ali Akhbars*, or papers relating to the transactions of the Court of the Emperor Aurangzeb for the following years of his reign, 1-14, 17, 20-21, 24, 36-39, 42-49, together with *Akhbars* of the Court of Prince Muhammad Azam Shah (third S. of Aurangzeb). A large parcel written in *Shikastah*, on separate slips of paper, and enclosed in a *solander* case. Size, 8 inches by 4½ inches.

"The collection has been made up into bundles, one for each year, and each bundle contains a number of small slips of brown paper, which are frequently

In the thirties of the last century—about the time when liberty was granted to the Indian Press by Macaulay and Metcalfe—the manuscript newspapers were vigorous in circulation. Lord Auckland in 1836 wrote thus on them as Governor-General of India :—

“ The circulation of news continues to take place amongst the Natives as it always did. Princes and others who can

written on both sides. These are written by various hands, and are sometimes quite legible. But the writing is Shikastah, and vowels are not marked, and in many instances I could not read the words. Some bundles of the later years of Aurangzeb are much larger than the others. The slips are arranged according to the order of the Muhammadan months, and each bundle has a paper band inscribed with the Samvat year which corresponds to the Muhammadan one. There does not appear to be any account by Colonel Tod of where the papers had been kept and of how he got possession of them, but from the Nagri endorsements on them it would appear that they had belonged to a Hindu Serishtah, and presumably to one in Rajputana. Apparently they are notes by the court agents of some Rajputana prince of the daily occurrences of the Mogul Court. The entries are very short, and the incidents recorded are very trivial. They consist mainly of notices of promotions of officers, of the grants of robes of honour, and of such occurrences as that the Emperor visited the chief mosque at such and such an hour, or that he visited the shrine of some saint, or went on a hunting expedition. In their present state the papers do not correspond altogether with Mr. Morley's description. I could not find the records of the 1st, 2nd, and 11th years of Aurangzeb's reign, and there are a few slips relating to the reign of Bahadur Shah (Aurangzeb's second son and successor). These are for a few days of the last month of the 2nd year of his reign and do not seem to contain anything of interest. One entry records the promotion of Nizam-ud-daulat to the rank of 8,000 personal and 7,000 two-horsed troopers. The first entry in the papers of Aurangzeb's reign is dated 25th Muharram of the 3rd year, and records a short journey of the Emperor in a *takht-ravan*. The second refers to the presentation by Rana Amar Singh, Zemindar of Udaipur, of a hundred gold mohurs. In the record for the 9th year there is a notice of Roshan Ara Begum's having sent a collection (*hazari*) to her father, and of its being graciously received. In the 8th year two pods of musk are presented by Maharajah Jaswant Singh and in the same year Aurangzeb went to the mosque and also inspected the elephants. In Ramzan of the 13th year he visited his father's tomb, and recited, the *fatiha*. In the same month and year the faujdar of Tirhut and Darbhanga reports that the climate of that part of Behar does not agree with him and asks for a transfer which is granted. Doubtless the papers must contain entries of names, etc., which would be useful to any one who was writing a history of Aurangzeb's reign, and I suggest that the papers be carefully preserved, and placed in a larger box than that which now contains them. The early date of Colonel Tod's Akhbars makes them interesting. A similar collection of Akhbars is described in Rieu, Supp. to Persian Catalogue Or. 4608 and 4909, p. 55a, but they are of the date 1795, whereas Tod's begin with 1660. It will be seen that the account of the *Asiatic Journal* as quoted above is not quite correct. I am afraid that the newsletters will not throw any light on the poll-tax question; but it is much to be desired that someone would make a more thorough examination of them than I have been able to accomplish.”

In the memorial of Raja Ram Mohun Roy and other Indians to the King of England against the Press Regulations of 1823 the following occurs in para. 50 :—  
“ Notwithstanding the despotic power of the Mogul princes who formerly ruled over this country, and that their conduct was often cruel and arbitrary, yet the wise and virtuous among them always employed two intelligencers at the residence of their Nawabs or Lord-Lieutenants; an *ukhbar-nuwaes*, or news-writer, who published

afford it have their news-writers, or employ people established in that line where they think it of sufficient importance to seek intelligence. Fabricators and collectors of nonsense, of gossip, of intelligence, and of lies, exist probably in all great towns. The manuscript papers derived from these sources are private; anything may be inserted in them without scruple, and in critical times, more particularly during the Burmese War, the most absurd reports and mischievous misrepresentations were made to agitate men's minds, and to produce evil which might have been better prevented or guarded against if the circulation had been effected by printed papers."

Macaulay, then Legislative Member of the Governor-General's Council, thus wrote in 1836 on the manuscript newspapers:—

"The gazettes (akhbars) which are commonly read by the Natives are in manuscript. To prepare these gazettes, it is the business of a numerous class of people who are constantly prowling for intelligence in the neighbourhood of every *cutcherry* (court) and every *durbar* (courts of native princes). Twenty or thirty news-writers are constantly in attendance at the Palace of Delhi and at the Residency. Each of these news-writers has among the richer natives, several customers whom he daily supplies with all the scandal of the Court and the city. The number of manuscript gazettes daily despatched from the single town of Delhi cannot of course be precisely known, but it is calculated by persons having good opportunities of information at hundred and twenty. Under these circumstances it is perfectly clear that the influence of the manuscript gazettes on the native population must be very much more extensive than that of the printed papers,

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an account of whatever happened, and a *khoofe-naavees* or confidential correspondent who sent a private and particular account of every occurrence worthy of notice; and although these Lord-Lieutenants were often particular friends or near relations to the prince, he did not trust entirely to themselves for a faithful and impartial report of their administration, and degraded them when they appeared to deserve it, either for their own faults, or for their negligence in not checking the delinquencies of their subordinate officers; which shows, that even the Mogul Princes, although their form of government admitted of nothing better, were convinced that in a country so rich and so replete with temptations, a restraint of some kind was absolutely necessary to prevent the abuses that are so liable to flow from the possession of power."

(in the native languages whose circulation in India by dawk (post) does not now—1836—exceed three hundred)."

"The character of the manuscript gazettes is, I believe what the Governor-General describes it to be. They are filled with trivial details, with idle reports and often with extravagant falsehood suited to the capacity of ignorant and credulous readers. They are often scurrilous far beyond any papers that appear in print either in English or in any native languages. They often contain abuse of the Government and its servants and sarcasms on our national character and manners."

Notwithstanding the above character of the manuscript newspapers, it is very strange to note, the early British rulers like Warren Hastings, Wellesley and Lord Hastings, did not take any measures either penal or precautionary to regulate their tone or curb their liberty, but directed all their efforts towards checking the liberty of the printed newspapers published by European journalists, although the manuscript newspapers were far more inflammatory than the latter. As a matter of fact, the British Government never attempted to put down these *Akhbars* or to impose any restrictions on their circulation but allowed unbounded license to them. In this way they remained in vigorous existence for a considerable time during the British *regime*.

Lieutenant-Colonel Sir William Sleeman, journeying through Oudh in 1849-50, found the manuscript newspaper system an important institution in Oudh and thus described it from his personal knowledge :—

"The news department is under a Superintendent-General who has sometimes contracted for it, as for the revenues of a district, but more commonly holds it in *aman* as a manager. He nominates his subordinates and appoints them to their several offices, taking from each a present, gratuity and a pledge for such monthly payments as he thinks the post will enable him to make. There are sixty-six news-writers of this kind

employed by the King (of Oudh) and paid monthly 3,194 rupees. Such are the reporters of the circumstances in all the cases on which the sovereign and his ministers have to pass orders every day in Oudh.”\*

Even at the time of the Mutiny we had ample evidence of their existence.† With the gradual adoption and use of movable types and printing presses, the manuscript newspapers became less profitable and were gradually superseded by the cheap printed newspapers.‡

## II — PRINTED NEWSPAPERS.

The history of the printed vernacular newspapers Press of Bengal is still an untold tale, although the subject treated with sympathy and adequate knowledge would be of great and permanent interest. The earliest vernacular newspaper of Bengal was started in 1816

\* Colonel Sleeman also relates how an over-zealous British Magistrate entered the Oudh territory at the head of the Police in pursuit of some robbers who had hidden themselves there, and in the attempt to secure them, killed some of them: and how, apprehensive of the consequences, he sent for the official news-writer and gratified him in the usual way. No report of the circumstances was made to the Oudh *Durbar*, and neither the King, the Resident nor the British Government ever heard anything about it.—*Journey through Oudh*, Vol. I, pp. 67-69.

He also tells another story of an Oudh official who had been worsted in an affray with the Rajputs, and was so much ashamed of the drubbing he had got that “he bribed all the news-writers within twenty-four miles of the place, to say nothing about it in their reports to court.”—*Rambles and Recollections*, Vol. I, p. 301.

† During the Mutiny the British Government was quite aware of the mischiefs that were being done by the manuscript news-writers. Mr. J. R. Norton in his *Topics for Indian Statesmen* (edition of 1858, p. 328) states that while Lord Canning’s Gagging Act of 1857-58 was in force, a private merchant’s lithographic stone was confiscated by the authorities at Akyab (Burma) because he had introduced political remarks into his commercial circular correspondence.

‡ Even at the present day when printed newspapers abound these letters have not ceased. Native firms of merchants and bankers circulate a large amount of news in their business letters, and this news is such as does not often find its way into print, being chiefly of the nature of gossip, but very important as reflecting the temper and mind of the people. News about weather, crops, harvests, religious festivals, etc., is mixed up with political and semi-political gossips of the bazars in these letters. It was only the other day that a Brahman from Lucknow, of the class from which the Company’s old sepoys of the fampered Bengal army were drawn, told me a curious story of a Pandit’s prophecy, in his native place, of some political importance, and on being urged how he had come to know of it, he said it was related in the letters of his friends and relatives from home which always contained similar news.—R. P. Karkaria in *East and West*, 1902.

under the title of the *Bengal Gazette* by Gangadhar Bhattacharya. The Bengal Press was then under Censorship and strictest surveillance, and many a column appeared in the English journals resplendent with the stars which were substituted, at the last moment, for the editorial remarks and through which the Censor had drawn his fatal pen. In this state of things it was difficult to suppose that a vernacular paper would be tolerated for a moment. But Gangadhar Bhattacharya was bold enough to make the experiment and reaped its reward. He, by this action, proved the futility of the notion then prevalent among the officers of the East India Company, to confine the liberty of the Press in India to works printed in the English language and dealt a severe blow at the institution of Censorship. The then Governor-General, Marquis of Hastings, afforded every encouragement to the projector who was connected with the teaching staff of the old Fort William College, and the occasion of the publication of the newspaper was taken hold of by his Lordship in avowing the following noble sentiments in an address to the students of the Fort William College :—

“It is humane, it is generous, to protect the feeble ; it is meritorious to redress the injured ; but it is a godlike bounty to bestow expansion of intellect, to infuse the Promethean spark into the statue and waken it into the man.”

Unfortunately the first vernacular newspaper of Bengal was a very short-lived concern and did not circulate more than a year, but the experiment did not go for nothing. Soon after its death, it was succeeded by a monthly paper called the *Dig-darsān* (Indicator of Ways) in April 1818 which was started by the Baptist Missionaries, Carey, Marshman and his son and Ward

of Serampore, then a Danish Settlement. It was composed of historical and other notices likely from their novelty to excite the attention of the natives and to sharpen their curiosity. In the first page, in smaller type, some few items of political intelligence were inserted. Two numbers were regularly published in the beginning of April and May 1818, and copies were sent to the principal members of Government, including the Censor, and the fact of the publication was widely circulated by advertisements in all the English papers of Calcutta. As no objection was taken to the publication of the magazine by the Censor, though it contained political news, it was resolved at once to launch a weekly paper and to call it by the name given to the earliest English news-letter, the *Mirror of News* or the *Sumachar Durpan*.\* Its first number

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\* But Dr. Carey, who had been labouring fifteen years in India during the period when the opposition to missionary efforts and to the enlightenment of the natives was in full vigour, was unfavourable to the publication of the journal because he feared it would give umbrage in official circles and weaken the good understanding which had been gradually growing up between the missionaries and the Government. He strenuously advised that the idea of it should be dropped, but he was overruled by his two colleagues, Dr. Marshman and Mr. Ward. When the proof sheets were brought up for final examination at the weekly meeting of the missionaries the evening before the day of publication (Friday, Saturday being the day of publication), he renewed his objection to the undertaking on the grounds he had stated. Dr. Marshman then offered to proceed to Calcutta the next morning and submit the first number of the new gazette, together with a rough translation of the articles, to Mr. Edmonstone (the Hon'ble Neil Benjamin Edmonstone) then Vice-President, and to the Chief Secretary (Mr. John Adam), and he promised that it should be discontinued if they raised any objection to it. To his great delight he found both of them favourable to the undertaking. And thus was the journal established. A copy of it was sent with a subscription book to all the great Baboos in Calcutta, and the first name entered on the list was that of Dwarkanath Tagore.

Lord Hastings returned to Calcutta a few months later and Dr. Marshman waited upon his Lordship and solicited some relaxation of the postage tariff in consideration of the object for which the *Sumachar Durpan* had been established. In his reply Lord Hastings said that "the effect of such a paper must be extensively and importantly useful. But to furnish such a prospect, extraordinary precaution must be used not to give the natives cause for suspicion that the paper had been devised to as an engine for undermining their religious opinions." Dr. Marshman replied that their object in establishing the paper was the general enlightenment of the country, and as it could not live without the patronage of the natives, this circumstance afforded a sufficient guarantee that it would not be rendered offensive to their religious prejudices. In the course of a week Lord Hastings laid the editor's letter before his Council and persuaded his colleagues to allow the *Darpan* to be circulated by post at one-fourth the usual charge.



appeared on Saturday the 23rd May 1818. A copy of the paper was sent to Lord Hastings, then touring in the North-Western Provinces, and in reply the editors were happy to receive a letter in his Lordship's own handwriting commending the project of endeavouring to excite and gratify a spirit of enquiry in the native mind by means of a newspaper. A considerable number of copies was subscribed for by the Government and distributed at the public expense to different native courts, and the editors were also encouraged to publish a Persian edition to circulate for one-fourth of the postage charged to English papers.

The publication of these vernacular newspapers occasioned the removal of Censorship by Lord Hastings in August 1818. This proceeding was adopted not because such a check was unnecessary, but because it was insufficient inasmuch as it would not be enforced against native editors of India, and it was intended, at the period when the Censorship was abolished, "to point out to the Court of Directors this defect with a view to obtain sufficient legal authority to control the press when in the hands of individuals not being British European subjects."

The *Sumachar Durpan* did not much interfere with religious matters, merely opposing itself to Hindu bigotry and intolerance and urging the natives to seek useful instruction and surrender idle superstition. It was a diligent chronicle of news interesting to the natives and in its original articles—which treated generally of branches of revenue and judicial questions—it displayed great good temper and sound discretion, employing at all times a phraseology suited to the dullest intellect. Its second editor, John Clark Marshman, made it a vehicle of giving accurate news on political

matters, and as it was a medium of conveying from natives in the mofussil information and complaints regarding local matters, it was a check on maladministration in remote districts. Lord Amherst further encouraged it by subscribing for 100 copies to be distributed in Government offices. It was largely taken by the chief civilians in the mofussil as it often gave them valuable information respecting their districts which they could not obtain through official channels. Natives largely wrote to this paper knowing that their remarks would gain the ears of the authorities.

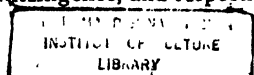
A few days after the publication of the *Sumachar Durpan*, Krishna Mohan Das published in Calcutta a weekly journal which he styled the *Sangbad Timirnashak* (News of the Destroyer of Darkness). It was started to support the doctrines and to protect the interests of Hinduism from the attacks of the *Sumachar Durpan*. Its chief object seems to have been to pander to Hindu credulity to the utmost extent, though it acknowledged itself the offspring of the *Sumachar Durpan*. But it could not dispel darkness for any length of time as it died within a year after its appearance in 1818.

Next came the famous *Sangbad Kaumudi* (Moon of Intelligence). It proclaimed its appearance thus :—

Prospectus of a Bengalee weekly newspaper to be conducted by natives. Printed and circulated in Bengalee and English.

It having been particularly suggested and recommended to us by the friends of knowledge, improvement and literature to establish an entertaining and instructive Bengalee weekly newspaper, we in conformity with their very acceptable and meritorious suggestions, have gladly undertaken the duty of publishing the proposed newspaper to be denominated *Sangbad Cowmuddy*, or the Moon of Intelligence, and respectfully beg

1319.



leave to enumerate the subjects which will be treated of in the said publication, *viz* :—

Religious, moral and political matters, domestic occurrences, foreign as well as local intelligence including original communications on various hitherto unpublished interesting local topics, etc., will be published in the *Sungvad Cowmuddy* on every Tuesday morning.

To enable us to defray expenses which will necessarily be attended on an undertaking of this nature, we humbly solicit the support and patronage of all who feel themselves interested in the intellectual and moral improvements of our countrymen and confidently hope that they will with their usual liberality and munificence condescend to gratify our most anxious wishes by contributing to our paper a monthly subscription of two rupees, in acknowledgment of which act of their benignity and encouragement we pledge ourselves to make use of our utmost efforts and exertions to render our paper as useful, instructive and entertaining as it can possibly be.

The first number of the *Sangbad Cowmuddy* came out on Tuesday the 4th December 1821. In it there was an address to the Bengal public which is as follows :—

For the information of the literate under the immediate province of Bengal, the conductors of the newly established Bengallee newspaper, entitled *Sungvad Cowmuddy* or the Moon of Intelligence, respectfully beg leave to state in a brief manner that the object of that publication is the public good. The subjects to be discussed will, therefore, have that object for a guiding star and any essay bearing upon this primary object will always meet with ready attention. As to minor points, the prospectus already published will afford every information that can be desired ; and as a newspaper conducted exclusively by natives in the native languages is a novelty at least, if not a desideratum, it will of course ever be the study of its conductors to render their labours as interesting as possible ; for which purpose they hereby solicit the hearty co-operation of the literate and well-wishers of the cause to contribute their aid in bringing this publication to the highest pitch of perfection which it is capable of attaining. Nothing need be apprehended on this

subject when the state of the Press in India is considered, that it was hitherto shackled, and that owing to the liberal and comprehensive mind of our present enlightened and magnanimous ruler the most noble the Marquis of Hastings, these shackles have been removed and the Press declared free ; and when it is further considered that many celebrated publications (which are a constant source of delight and instruction to Europeans in this country) first appeared in the humble though\* useful channel of a periodical newspaper, we need not apprehend but that by due exertions we shall also be able to rescue our names from oblivion and eventually be held up to future generations as examples for imitation, obtaining by such notice, the meed of praise to which all noble minds are ever alive and which is never withheld from superior merit. It will readily occur from what has been just stated, that it is our intention hereafter to give further currency to the articles inserted in this paper by translating the most interesting parts in the different languages of the East, particularly Persian and Hindoostani, but as this will entail considerable expense, the accomplishment of it will of course depend upon the encouragement which we may be able to obtain. The foregoing being an outline of what we are desirous of performing, our countrymen will readily conclude that although the paper in question be conducted by us and may consequently be considered our property, yet virtually it is ' the Paper of the Public,' since in it they can at all times have inserted anything that tends to the public good, and by a respectful expression of their grievances, be enabled to get them redressed, if our countrymen have not already been able to effect that desirable object by publishing them in English."

Its projectors were Bhowani Charan Banerjee\* and his friends. But the former could not agree with

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\* Bhowani Charan Banerjee, eldest son of Ramjaya Banerjee, was born at Narayanpur in Pargana Ukhra in 1787. The father was employed in the Calcutta Mint and got a house at Calcutta where the son was brought in early boyhood for education in Persian and English. At the age of sixteen Bhowani Charan became a *sircar* of Messrs. J. Duckett and Co. in 1803 and served in that capacity for eleven years. Next he acted successively as chief clerk of such well-known officials as Major-General Sir William Grant Keir, Mr. Herbert Compton, then an advocate of the Calcutta Supreme Court (afterwards knighted and Chief Justice of Bombay), Sir Charles D'Oyly, Member of the Board of Customs, Calcutta, Bishop Middleton, Sir Henry Blosset, Chief Justice, Calcutta Supreme Court, (afterwards became knighted and Chief Justice of Bombay), Bishop Heber, Sir Christopher Fuller, Chief

his colleagues for long owing to differences of opinion on religious and social questions and soon severed his connection with the *Sangbad Cowmuddy*. His colleagues carried on the paper for a few months and were then obliged to give it up to Raja Ram Mohan Roy. Under the management of the Raja it became the organ of the purely pantheistic party consisting of a few learned Brahmans and their adherents who did not hesitate speculatively to despise idolatry in its grossest forms, but most of whom in practice, hesitated as little to pay external homage to its rites and observances. Religious, moral and political matters, domestic occurrences, foreign as well as local intelligence including original communications on various topics of interest were published in it. But its chief object was to advocate the cause of Hindu reform and to preach against the cruel practice of *sati*.

In 1822 Bhowani Charan Banerjee set up a press of his own and started the *Sumachar Chandrika* as a weekly paper as the organ of the orthodox Hindus and set itself up as the defender of the Hindu faith. It tried its best to counteract the liberal principles of the *Sangbad Kaumudi*. Between 1822 and 1830 the abovementioned newspapers formed the vernacular Press of Bengal. They chiefly discussed social questions and occasionally touched political topics of the day. During this period the *Sumachar Durpan* and the *Sumachar Chandrika* fought the battle of progress on the one side and of Hindu

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Justice, Calcutta Supreme Court. When the Bishop's College was established he was appointed its Secretary; then became *Khazanji* or Accountant of the Hooghly Collectorate; sometimes acted as manager of the *Englishman* newspaper under J. H. Stocqueler; then became Dewan of the Calcutta Tax Office, and lastly became Banyan of Messrs. Hickey, Ballie and Co. He died in 1848, aged about 61 years. Amidst multifarious works he spent considerable time in journalism and public activity. He founded the Dharma Sava—a sort of Defence Association for Hinduism in 1828 and wrote several interesting vernacular works. From 1822 to 1848 he conducted the *Samachar Chandrika* with great ability. After his death his eldest son, Raj Kristo Banerjee continued the paper.

conservatism on the other. In 1829 came the great event of the abolition of *Sati* which agitated native society to its profoundest depths. The *Sumachar Durpan* supported the abolition, the *Sumachar Chandrika* denounced it in no measured language. In order at this critical moment to increase its popularity and influence, the *Sumachar Durpan* began to appear in 1829 in Bengalee and English in parallel columns and the circulation immediately rose beyond the level of its rival.

These were also the palmy days of the *Sumachar Chandrika* when it gave a great insight into the current of native thought; due notice was given of all the *pujahs*; accounts of *rajahs*, bulbul fights and defence of *charak-pujah* on the authority of the *Uttarkanda* of *Brihat Dharma Puran*. The editor called the educated Bengalees of the day "Chittagong Feringhis" and considered that "teaching natives English incapacitates them from the performance of any sacred rites, since in repeating a sacred text some foreign words connected with their studies would intrude themselves on the mind and thus destroy the sanctity of their studies." The editor was a bitter opponent of missionaries and remarked that "persons hoping that Hindus on becoming Christians may succeed to the paternal inheritance, are like cats who wished they had wings in order to devour all the birds, but never got them." Yet he gave himself credit for not believing the report current among the natives "that the missionaries receive Rs. 10,000 for every convert they make." But the defence of *Satism* was his great aim; hence in 1825 he filled six columns of his paper with a translation of the discussion on *Sati* in the House of Commons. Now and then there were good literary articles, and in 1825 a series of very useful

papers on the various districts of Bengal translated from the English were published.

As a matter of fact, the leading vernacular papers of this period contended very much on the question of *Sati* for years as their principal and standing theme of weekly discussion. The promulgation of the law abolishing the *Sati* caused six or seven Bengalee newspapers to start into existence, but the zeal for widow-burning soon cooled, and these organs of public opinion also expired. One of these papers, the *Ratnabali* (Collection of Jewels) when the news came that the appeal of the natives to England on *Sati* had failed, thus exclaimed :—"The King of England is not in charge of the government ; the people make a king of their own as in Bengal an earthen pot is put up and worshipped."

Then by and by new circumstances occurred as the spread of education advanced which tended to stimulate the appetite for journalism. In connection with that mental awakening as occasioned by the course of education at the old Hindu College in 1829 and 1830 there was a great ferment abroad in Hindu society, and in the midst of that ferment several newspapers sprang up, some in vernacular which began to enter largely and freely upon literary, religious and political topics.

In the midst of this mental awakening Dr. Alexander Duff, first Missionary of the Church of Scotland India Mission, arrived at Calcutta and thus wrote on it and its bearing on the Vernacular Press of Bengal :—

The second way in which the newly-awakened spirit strongly manifested itself, was *through the medium of the Press*. A few months before the explosion consequent on the intended delivery of the Lectures,\* an attempt was made by the College

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\* Soon after his arrival Dr. Duff arranged to deliver a series of lectures on the *Evidences and Doctrines of Natural and Revealed Religion*.

*illumina* to establish a Journal, under the name of the *Parthenon*, which might form a register of their thoughts and feelings. But, as stated by the Editor of another paper, "it died in its infancy, in consequence of the obstacle that was thrown in its way by misplaced authority. It withered in its very blossoms, by the heat of fanaticism on the part of a number of bigots without ripening the fruits it was calculated to produce." Previously to that period, there were only two newspapers in Calcutta, in the vernacular tongue—the *Chundrika* and *Cowmuddee*—of genuine native growth. Even these had been in existence only for a year or two; and, to the agitation of the question relative to the abolition of *sati* (suttee) or burning of widows, they were wholly indebted for their origin.

The former paper was started as the organ of the ultra-idolatrous party—constituting the great mass of the people—and stood forth the impassioned advocate of religious female suicide. The latter arose in self-defence, as the organ of the purely Pantheistic party. The subject of *sati* having become well nigh exhausted, these papers were rapidly languishing into decay. Opposed to each other as these papers were, on the *sati* and other questions of their own superstition, they both professed to adore the *Vedas*, and assumed an offensive attitude towards all other forms of faith. For the first time, Christianity now began to be vigorously assailed from the native Press.

But these senior journals did not furnish a sufficient outlet for the multifarious manifestations of the new spirit. In its first irregular and violent outbreak—before the different opinions could either be known or reduced into distinct classes, and before the leading representatives of generic differences of opinion could be drawn together for co-operation by mutual affinity of principle—there suddenly appeared a thick crop of ephemeral publications, in the form of weekly newspapers, about the size of a quarto sheet. The burst of desire for unlimited freedom of utterance through the Press, seemed, if possible, to exceed the raging mania for oral discussions. And new vehicles of sentiment sprung up, in number and rapidity like mushrooms—though most of them were destined to be as



short-lived. Indeed, in regard to the greater part, the idea was irresistibly suggested, both by their contents and after-results that instead of being laboratories for the manipulation of wholesome sentiment, they had answered the purpose of scape-valves for the discharge of the superabounding fumes of rancour, hatred and virulence; and these fumes having once been emitted in continuous explosions, the valves naturally closed, leaving the remaining feculence quietly to subside in each foul repository.

If, in the midst of such heterogeneousness, anything could be said to be possessed in common, it was the bitter hostility towards Christianity which characterised all the journals. Here the evil genius of Paine was again resuscitated. Passages from his *Age of Reason* were often translated *verbatim* in Bengalee; and inserted in the native newspapers. The editor of one of these published a separate pamphlet, attacking the Bible on the score of its alleged inconsistencies. A copy of it he transmitted to me, with his compliments, challenging a reply. On examination I found it to consist chiefly of patched extracts from Paine, clothed in a Bengalee garb. I need scarcely repeat, that the advocates of Christianity were never loath to step forward in vindication of their most holy faith. And, indeed, with such effect was the warfare on the defensive pushed that some of the editors resolved to suspend their attacks altogether, rather than be constrained to publish the reply of the Christian Missionaries.

Out of the general agitation, at last arose, in close succession, three journals, decidedly superior to the rest in ability matter and execution. These, for years, survived the wreck and ruin of their less fortunate contemporaries—having soon become the acknowledged organs of two very distinct classes of natives.

The first established of these was the *Reformer* published exclusively in the English language. It excited, on its first appearance, an unbounded curiosity, chiefly from the circumstance of its being the first English newspaper ever conducted by natives. It represented the sentiments of a party not large in number, but potent in rank and wealth, the party of the celebrated Raja Ram Mohun Roy. Except the Raja himself, not one of his party could be said to have acquired a *thorough*

English education. As regarded mental culture they were not half-anglicised ; and as regarded Hinduism they were scarcely half-liberalised. What knowledge of English and liberality of sentiment they possessed, had been contracted chiefly in their constant habits of business and intercourse with enlightened Europeans. In politics, the *Reformer* at first assumed a tone of rancorous and indiscriminating violence towards the British Government ; outdoing the wildest flights to which ultra-radicalism has ever soared in these lands (England). A nondescript species of native oligarchy and republicanism combined was the panacea proposed for remedying all the ills of India. It was thus unskilful and injudicious enough to attempt the erection of towers and palaces out of the surrounding rubbish, by beginning at the top of the intended edifices—forcing a poor, blinded, ignorant, priest-ridden race, to listen to weekly orations on their abstract rights and privileges, as members of a great social polity, before they were capacitated to comprehend one jot or tittle of their individual rights as men. In religion it professed itself inimical to the popular idolatry. But instead of proposing an entirely new substitute, it simply pleaded the necessity of a *reform* in the prevailing system—the necessity of sweeping away the mass of corruptions which, it alleged, had been accumulating in dead letter and living practices through a long succession of ages, and the consequent propriety of reverting to the supposed purer and less abhorrent system of the *Vedas*. It thus became the advocate of the monotheism, or rather pantheism of these ancient writings—treating it, however, more as the highest product of mere human philosophy than as a doctrine of Divine Revelation. In its advocacy of the Vedant system, it advanced the most valueless and extravagant assertions instead of sober evidence ; while it unsparingly loaded with reproaches and abuse the purest, holiest, and the sublimest truths that ever shone in the spiritual firmament of a benighted world. A long series of articles, in particular, on “ the Sermon on the Mount ” were distinguished by a subtle and perverse ingenuity, in extracting evil out of good, that greatly exceeded anything exhibited in the pages even of Paine, and to the shame of some of our countrymen it must be added that in the preparation of these, material assistance was known to be obtained

from men born and bred up in the bosom of the British Churches, and still retaining the dishonoured name of Christians!

The other two journals were the *Enquirer* and the *Gyananneshun*—the former in English and the latter in Bengali; both conducted by native editors. These became the established organs of that small party of educated Hindus who had made the highest attainments in English literature, and the highest advances in liberality of sentiment; who alive to the inefficacy of half measures and scorning hypocrisy of double-dealing, had at once renounced, both in theory and practice, the whole system of Hinduism, pure and impure, ancient and modern, Vedantic and Puranic, and who, being thus left in a region of vacancy as regards religion, announced themselves to the world as free inquirers after truth. The speeches and writings of this party were at first marked by a degree of wild vehemence which appeared to those who could not realise their peculiar experience as worse than ridiculous. ११३११

Amongst these as pre-eminent in ability was the *Bangadut* (Bengal Herald), a weekly newspaper started on the 10th May 1829 under the management of Robert Montgomery Martin, Dwarka Nath Tagore, Prasunna Kumar Tagore and Raja Ram Mohan Roy. It was a diglot written in two languages, Bengali and Persian.

In January 1831 the first Bengali poet of the day, Ishwar Chandra Gupta, started the *Sangbad Pravakar*\* (Sun of News) as a weekly newspaper in Calcutta. Moderate in its tone, distinguished for the ability of its literary articles, the elegance of its style and keenness of its wit and particularly in the poetry contributed to its columns by its editor, who was a

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\* It was started with the pecuniary help of Jogendra Mohan Tagore of Calcutta. In 1832 the patron died and the paper ceased to exist. In 1836 it again appeared as a tri-weekly with the patronage of Kanailal Tagore and Gopalchandra Tagore. In 1839 it was made daily. Iswar Chandra Gupta vigorously conducted the paper with Shama Charan Banerjee as his Sub-Editor. In 1853 Iswar Chandra Gupta started monthly edition of the paper to which he henceforth devoted his entire attention. The daily edition was conducted by his Sub-Editor. Iswar Chandra Gupta died in 1858.

very able and elegant Bengali poet. Its poetry very much contributed to increase its subscribers; it is mentioned of its early volumes that "the poetry was so very excellent and it pleased the natives to such a degree that they sought to read nothing besides." The editor carried on a controversy with the editor of the *Sumachar Durpan* on female education, remarking that "by the burning heat of the *Pravakar* (sun) a fire instantly springing from the bowels of the ancient *Durpan* (Mirror), has burnt up his heap of cotton-like arguments for the education of women."

In 1831 some advanced students of the old Hindu College started the *Gyananneshan*\* (Search after Knowledge) as a weekly diglot newspaper. It was printed in double columns, one column being in English and the other in the Bengalee character. Its object was the instruction of the Hindus in the science of government and jurisprudence, and it added to its crude essays on these abstruse points, a few brief items of intelligence.

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\* The history of this newspaper is very little known. The following glimpses about it can be found in the letters written by the great Ramgopal Ghose to his friend, Gobind Chandra Basack.

I. CALCUTTA, 21ST SEPTEMBER 1835.—Russik (Kristo Mullick) is coming to Calcutta. Ram Tonoo (Lahiri) is gone home. Taruck Chundra Bose, the principal editor of the *Gyananneshun*, has been lucky enough to get a Deputy Collectorship at Hooghly. I wonder who will carry on the paper.

II. CALCUTTA, 9TH JULY 1837.—I have a great deal to tell you about the *Gyananneshun* which after this week will go into the hands of Babu Dukshina (Ranjan Mookerjee). This being the last time that I shall have to ask you to write in the *Gyananneshun*, pray send me something good. You may pen a small article giving the particulars of Martin's conduct at Hooghly.

III. CALCUTTA, 24TH NOVEMBER 1839.—I should mention to you before I conclude that at a meeting of a few select friends lately held in my house at the request of Babu Ram Chandra Mitter and Horomohun Chatterjee, the present conductors of the *Gyananneshun*, to take into consideration different points connected with the management of that paper, I was requested to take up the editorial management of it. I have not yet acceded to the proposal, and I think there are weighty reasons for declining it. I have little leisure and less ability to conduct it, and the consequence is, I will feel it to be a great bore. And unless it can be better managed than it is at present, it is not worth while to take it up. But after, all, should the paper devolve upon my hands, you may be sure to be constantly bothered by me for contributions. In fact it is the hope of being largely supplied with news by you that sometimes induces me to change my mind. And I am quite sure that I have no more fassil correspondent who will more ably and more cheerfully respond to my call.

It was too much anglicised in tone and iconoclastic in religious opinions, and not infrequently delighted in running down the old institutions of the country. The anti-national feeling which seized the educated natives of the day was not a little due to the teachings of this paper. For thirteen years it contributed much to Hindu enlightenment; it was a strenuous advocate of vernacular education, agricultural education and of Bengali being the language of the courts, etc. Its correspondence columns discussed at length various social evils among the Hindus such as the *Baruari puja*, the roguery of native doctors charging 1,000 per cent. on their medicines, caste prejudices, such as the refusal to eat sugar refined by cow bones, etc., and the like. It used to appear on Tuesdays and its subscription was one rupee a month.

Next in age came the *Sangbad Purnochandradaya*\* (Full Moon of News) which first appeared as a fortnightly paper in 1835. Its first editor was Hara Chandra Banerjee. It started as a stalwart defender of Hindu orthodoxy and an abettor of the *Samachar Chandrika*, giving in each number a hymn in praise of one of the gods, a short poem on an ethical subject, general news and letters complaining of the spread of English and decline of Hinduism; it also advocated popular education and always maintained a gentlemanly tone towards its opponents, never indulging in scurrility; it was also a good medium for advertising Bengali books. It seldom involved itself in the expression of

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\* This paper was started by Adaitacharan Addy and Udaicharan Addy. Harachandra Banerjee edited it for two years and in 1837 left to accept a teachership of the Dacca College. He was succeeded by Udaicharan Addy, one of the proprietors. He conducted it till 1840 when he became a Superintendent of the Abkari Department; from 1841 to 1873 Adaitacharan Addy, one of the originators, edited the paper. In 1873 he died and was succeeded by Govindachandra Addy.

From 1835 to 1840 the paper was weekly; from 1841 to 1844 it was published twice a week; from 1845 it began to appear as a daily.

strong political opinions ; it gave various items of news and a variety of literary information.

The condition of the Vernacular Press of Bengal is thus reported on by John Clark Marshman to the Governor-General of India in Council, Lord Auckland, in 1836 :—

There appears to be a degree of national apathy almost peculiar to this country, which even the spirit-stirring novelty of a newspaper is unable to overcome. At one period we had more than ten native papers in course of publication at the presidency ; but the apathy of the Natives has gradually contracted them to above five. The subscription to them has, in no instance, exceeded a rupee a month, and yet many amongst the richest Natives are found to object to such an expenditure on such an object : hence many papers which once bid fair to live have been dropped through the withering indifference of the Native public. The papers which are now published in the Bengalee language are :—

1. The *Sumachar Chandrika* with a circulation of about 200 or 250.
2. The *Sumachar Durpan* which circulates 398.
3. The *Bunga Doot* (Bengal Herald) of which the circulation is below 70.
4. The *Purnachandradaya* with a subscription of about 100.
5. The *Gyananneshun* which has about 150 subscribers though possibly the number may be nearer 200.

Of these papers, the *Durpan* and the *Gyananneshun* appear in English and Bengalee in alternate columns. Of the *Durpan*, 132 copies are despatched by dawk (post), 266 circulate in Calcutta and its immediate vicinity. Of the papers sent by dawk, 55 are taken in by Europeans, 48 by Natives in the employ of Government, 29 as far as I can judge, by independent Native Gentlemen.

There are two papers published in the Persian language. Of these I know less than of the Bengalee papers, but I hear that their joint circulation does not exceed 300. The editor

seldom launch into politics local or foreign, but confine themselves, like the *Akhbars* of the native Courts, to the gossip of the day. Their circulation lies almost exclusively amongst the Musulmans, although, strange to say, the editor of one is a Hindoo. A few copies are despatched to the Mofussil to the more wealthy Muhammedans in the employ of Government; and I think a copy is taken by most of the *Vakeels* of the Foreign Courts resident in Calcutta.

It is a very lamentable circumstance that the whole number of Native papers circulated by dawk throughout the country in this the eighteenth year of our labours, does not exceed three hundred among seventy millions of people; whatever, therefore, may be the political influence of the native press it is confined almost exclusively to Calcutta.

From that intimate acquaintance with the country and people which a native correspondence of about 1,200 to 1,500 letters annually cannot fail to afford, I must confess that the idea of danger to our Empire from any excitement occasioned by the freedom of unlicensed printing appears utterly chimerical. The freedom which we have enjoyed by law for a twelvemonth has produced no change whatever even in the tone of the Native Journals. I wish indeed that we could rouse the Natives by some means or other from this deep and morbid lethargy into which they have fallen, for signs of life would afford some faint symptoms of moral regeneration. I have the best authority for believing that there is not a single copy of any paper which is read by the Native Officers or Sepoys of the Army.

The year 1839 saw the rise of two most prominent papers, the *Sangbad Rasaraj* or the *Sentimental* and the *Sangbad Bhashkar*. The latter\* during the period of its existence was always regarded as the native paper of Calcutta; it commented freely on men and things, causing many a man to wince under its lash and particularly in the days of its first editor, Sreenath Roy. It circulated

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\* Sreenath Roy edited it for two years 1839-40. He was succeeded by Gouri Sankar Tarkabagish Bhattacharya, who edited it from 1840 to 1858 when he died. He was succeeded by Khetr Mohan Vidyaratna Bhattacharya.

as far as the Panjab and has subscribers in England among Europeans who wished to keep up their acquaintance with the Native Press of Bengal. The year 1840 was memorable in the annals of this paper. The editor with his caustic pen having passed severe strictures on the Raja of Andul in the District of Howrah for expelling two Brahmans from the *Dharma Shava* and for causing a Brahman to marry a Vaisnava the Raja had the editor waylaid and beaten with clubs and then carried off to Andul and kept in a damp room from which daylight was excluded, the right hand was pounded with a pestle as a punishment for having used it to write against the Raja. Further torture was inflicted; the arm was pounded with an iron bar till it was broken at the wrist, and then hot fire balls were applied to different parts of the person, his arms were tied behind his back, an iron bar was introduced between them and by twisting it about an effort was made to wrench his shoulders out of joint. The Editor, however, managed to escape, prosecuted the Raja in the Supreme Court, and he was fined Rs. 1,000.

The *Sangbad Rasaraj*\* was at first noted for its original metrical compositions, but it soon became the *Weekly Despatch* of Calcutta, a receptacle of filthy remarks, personal quarrels and obscenity, thus relieving the listlessness of ignorant life. In 1840 it was remarked of it by a contemporary journal that

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\* Kali Kanta Ganguli started the paper and edited it for about two years after which it came into the hands of Gouri Sankar Bhattacharya, the editor of *Bhashkar*. Raja Krishnanath Rai of Cassimbazar brought a libel suit against Gouri Shankar in January 1843 for having accused him and his wife of gross misconduct. He was convicted and imprisoned for six months and had to pay a fine of Rs. 500 and to enter into a recognizance in the sum of Rs. 1,000 and to find two sureties in the sum of Rs. 500 each, making it a condition not to publish any libel against the Raja for one year after the date of imprisonment. About this time Raja Narsing Chandra Ray also brought a libel suit against him, and Sir John Peter Grant took a recognizance of Rs. 5,000 requiring him to appear before the Court when summoned after the expiration of his term of imprisonment.



"the Editor experiences a pleasure in wounding the most delicate feelings we are capable of; he indulges in the most scandalous language, in order, as he thinks, to force men to righteous sense of their duty. Sometimes as much as Rs. 500 are said to have been given as hush-money in order that articles affecting certain parties might not appear." The *Friend of India* used to speak of it as "a scavenger's cart." It lasted till 1856.

In 1840 a weekly publication of great value in making the natives acquainted with the proceedings of Government appeared, the *Bengali Government Gazette*;\* it contained the acts of the Legislative Council, the circular orders of the Sudder Dewany, Government notices, etc. The Editor of the *Sumachar Darpan*, John Clark Marshman, who had long been opposed to the system of excluding from information all natives unacquainted with English was appointed editor. It had a large circulation and was of great value as a medium of communication between Government and the people.

In this year also the first vernacular weekly newspaper—the *Moorshidabad Patrika*—was started in the mofussil town of Moorshidabad. Raja Krishna Nath Rai of Cassimbazar supplied the capital for starting the paper and Guru Dayal Chowdhuri Bhattacharya edited it. The latter died in 1841 and the paper also ceased to exist.

In 1842 an Anglo-Bengali weekly called the *Bengal Spectator*† was started by Dakshinaranjan

\* On the 2nd July 1840 this paper first came out. J. C. Marshman conducted it till the end of 1852; from 1853 the Rev. John Robinson took charge and conducted till June 1873; he was succeeded by Raj Kristo Mookerjee, M.A., B.L., who edited it till 1886; he was succeeded by the late Babu Chandranath Bose, M.A., B.L., in October of that year.

† The origin of this newspaper was mooted by the great Ramgopal Ghose and his friends in the beginning of 1842. In a letter to his friend Gobind Chunder Basak, dated Calcutta, 10th January 1842 he writes :—

"The necessity of establishing a paper I had long been convinced of, and I have never failed to agitate the subject on all suitable occasions, and when I heard

Mookerjee and his friends. The object of the journal was to discuss subjects connected with the welfare and improvement of the country. The question of widow marriage was first mooted in this paper and from its pages this important social question caught the attention of the public. The paper was conducted with considerable ability; the Bengali style was chaste and as idiomatic as translations could be rendered, and the English composition did no little credit to the native gentlemen who furnished it. Its politics were of a liberal cast. It looked for support, both pecuniary and editorial, to the numerous youths

of the extinction of the (*Sumachar*) *Durpan*, I have viewed it in the same light as you have done, and after much discussion, we have now come to a satisfactory conclusion. On last Tuesday evening the 7th, Tara Chand (Chuckerbarty), Peary (Chandra Mitra), myself met at Krishna's (the Rev. K. M. Banerjee's), and we resolved upon establishing a monthly magazine in Bengalee and English, and also the *Durpan* in case the receipt on account of the latter will enable us to employ a competent person versed in English and Bengalee to render the translations of both the papers. This important duty no one seems willing to undertake and unless we can secure an intelligent young man to devote all his time, which would perhaps cost us Rs. 100, we cannot venture to take up two papers. And in my humble opinion they are both, under present circumstance, equally necessary. The magazine is to keep up a spirit of enquiry amongst the educated natives to revive their dying institutions such as the Library (Calcutta Public), the Society for A.G.K. (for Acquisition of General Knowledge), to arouse them from their lethargic state; to discuss such subjects as female education, the remarriage of Hindu widows, etc. It is in short to be our *peculiar organ*. The *Durpan* on the other hand is for the native community in general, to be easy and simple in its style not to run into any lengthened discussion of any subject—to avoid abstract questions, to be extremely cautious of awakening the prejudices of the orthodox, to give items of news likely to be interesting to the native community, and gradually to extend their information, quickly to purge them of their prejudices and open their minds to the enlightenment of knowledge and civilisation. It should make the extinct *Durpan* its model. The two objects of the two papers are quite distinct, and though I have very inadequately expressed myself, you will perceive the difference, and I think you will concur with me as to the wisdom of the plan I have proposed. The magazine is to appear, if possible, on the 1st proximo. Krishna, Tara Chand and Peary are to be regular contributors. They are pledged each of them to give one article each number. Tara Chand will also look over the articles generally, and I am to be the puppet show of an editor and probably an occasional scribbler. I do not think we could make a better arrangement. But unimportant as my share is in a literary point of view, it must occupy a good deal of my time and attention, and I feel assured that unless I am relieved in the course of 5 or 6 months by Russik (Krishna Mullick) coming here, as he has talked of doing it, I will have to give it up. With this conviction you will think it strange and perhaps wrong in me to undertake what I have done. Be assured I have been compelled to do so as no one else would catch the *maws*, and I have thought it worth our while to have some discussion or agitation among our class, even though it should be for a short period. It will be a shame indeed to have to give it up after a short career and this crisis may infuse some decision into Russik's mind. Would to God it may."

who had received a liberal English education and who were supposed to have been thereby raised above the level of vulgar prejudices and to have imbibed that European thirst for knowledge which increases with the supply. In both respects the conductors were miserably disappointed within a little more than a year. The paper ceased to exist in November 1843.

In the period under notice two of the ablest papers noticed above died—the *Sumachar Durpan* in 1841 and the *Gyananneshun* in 1844—evidently for want of public support. Though great talent and zeal were shown in the conduct of these newspapers, the result was humiliating and in the forties the number of subscribers to all the Bengali journals did not exceed more than fifteen hundred. Owing to this public listlessness a very few new journals came into existence in the forties and even the old ones like the *Sangbad Bhashkar*, *Sangbad Pravakar*, *Sangbad Purnachundradoya* dragged on a miserable existence. *Sangbad Chandrika*, *Sangbad Rasaraj* and a few other minor periodicals mostly conducted under the patronage of some rich people of Bengal constituted the sole native Press of Bengal. These native papers, during this period, discarding politics, carried on a brisk war of words between themselves. The native community took pleasure in their rich sarcasms and sometimes their low ribaldry. They occasionally varied the amusement of their readers by showing up the Christian missionaries, and notably the missionaries of Serampore. The East India Company's officers now and then came within their target, and the political aspirations of the people of Bengal were seldom represented in their columns.

To stop social and moral irregularities as reflected in the native Press of the day and also to stem the tide

of Missionary influence the Brahmo Samaj of Calcutta in 1843 started a fortnightly called the *Tatwabodhini Patrika*. The first editor was Akshay Kumar Dutt, whose moral enthusiasm and simplicity of writing slowly raised the tone of the Native Press of Bengal and gradually improved the taste of native society. But this paper violently attacked Christianity and revived the dying embers of anti-Christian feeling among the natives. The Missionaries returned bold retorts and in the conflict much of the prospective fruit of previous missionary labours was destroyed, leaving behind in the mind of the native public a distinctly anti-Christian feeling which had some ultimate bearing upon the outbreak of the Sepoy Revolt in 1857.

On the 6th July 1856 the *Education Gazette*\* was started through the official influence of Mr. Hodgson Pratt. Its editorial management was entrusted to the Rev. Mr. O'Brien Smith.

In the beginning of May 1857 the Sepoy Mutiny broke out and the attention of the Government of India was directed in general towards the Native Press and in particular to certain native newspapers. In consequence the following resolution was passed :—

FORT WILLIAM, HOME DEPARTMENT, 12th June 1857.

#### RESOLUTION.

The Governor-General in Council has read extracts from

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\* At first it was understood to be an official organ, and the Government aid amounted to Rs. 75 a month. Subsequently the amount was doubled and then it increased to Rs. 300. In 1860 the Rev. Mr. O'Brien Smith resigned the editorship, and the Government appointed Babu Peari Charan Sarkar as its editor and manager. But in 1868 a change came. On the 7th May a serious collision took place on the E. B. S. Railway and the Government was much offended for some scathing articles that appeared on the subject in the paper. Babu Sarkar resigned and Babu Bhudev Mookerjee, then Inspector of Schools, accepted its editorial charge in December 1868, being requested by both the Lieutenant-Governor and the Director of Public Instruction, Mr. Atkinson. Afterwards the Government ceded their interest in the paper to Babu Bhudev Mookerjee and made him its sole proprietor. When he died in 1894 he left a large sum by his Will for the maintenance of the journal. In 1855 Babu Rangalal Banerjee, the well-known Bengalee poet, acted as sub-editor of the Journal under Mr. O'Brien Smith.

certain native newspapers in Calcutta, in which falsehoods are uttered and facts grossly perverted for seditious purposes, the objects and intentions of the Government are misrepresented, the Government itself vituperated, and endeavours are made to incite discontent and hatred towards it in the minds of its native subjects.

Two of these papers (*Doorbeen* and *Sultan-ul-Akhbar*) have published a traitorous proclamation said to have been put forth by the leaders of the revolted troops at Delhi, inciting the Hindoos and Mussalmans to murder all Europeans, offering rewards to those who will join and assist them in rebellion, and denouncing all who shall continue well-affected and faithful to the British Government.

It is necessary that prompt and decisive measures be taken to arrest this mischief at its source.

His Lordship in Council resolves, therefore, that the law officers of the Government be directed to take out a warrant against the printers and publishers of the three newspapers (*Doorbeen*, *Sultan-ul-Akhbar* and *Sumachar Soodhaburshun*) in which these articles have appeared, in order that they may be committed to take their trial before the Supreme Court on a charge of publishing seditious libels.

It is further resolved that a Bill be brought into the Legislative Council giving the Executive Government for a time control over the Press, and the power to suppress summarily publications containing treasonable or seditious matter, or otherwise infringing the conditions which may be imposed on them.

It was also found that the evil influences which then pervaded so many minds had been industriously put in motion by the manuscript newspapers to which was also attributable a large portion of the discontent instilled into the troops and the ordinary harmless and peaceable native community. Under the guise of intelligence supplied, the native newspapers, both printed and manuscript, poured into the hearts of the native population of India sedition to an audacious extent within a few weeks before the actual outbreak of the rebellion. It was done

sedulously, cleverly and artfully. Facts were grossly misrepresented and these misrepresentations scattered through native readers of all classes imperfectly acquainted with the proceedings of the Government and not well instructed as to what was passing even immediately round them, produced a ferment predisposing the native population to believe the wildest stories and to rush into action in a paroxysm of terror. In addition to perversion of facts, there were constant vilifications of the Government, false assertions of its purposes, and unceasing attempts to sow discontent and hatred between it and its subjects.

Further opportunities were taken by them to parade before the eyes of the inhabitants of Calcutta and of the soldiery and subjects in the mofussil a traitorous proclamation put forth by the rebels in the North-Western Provinces crying for the blood of Europeans, offering reward for rebellion and denouncing all who should continue faithful to the Government. These mischievous writings of the Native Press produced widespread disaffection, lamentable outbreaks, and great injury to the authority of Government. As such, the liberty of unrestrained writings was thought incompatible with the state of insurrection, and freedom of publication was regarded as dangerous to the wellbeing of the state. Hence the Government of India in all haste passed a Press Act for a year enabling the Executive Government to have an absolute and summary control over the Indian Press as a whole.

The Press Act produced the desired effect on the Native Press. Within four days after its promulgation, the Commissioner of Police in Calcutta with a strong force, well-armed, sallied out at midnight on the 17th June, to make a seizure of three native presses, *Sooltan-ul*

*Akhbar*, *Doorbeen* and the *Samachar Shudhabarshan*. The first two newspapers printed in Persian were charged with having reprinted from their English contemporaries the Proclamation of the King of Oudh. They pleaded guilty and were bound down in their own recognizances to appear when called for. Against the third—the Bengali newspaper the *Sangbad Sudhabarshan*—three libels were charged, but the jury acquitted the defendant without hesitation. The Governor-General also revoked the license granted to the proprietor of a lithographic press of Calcutta and directed the seizure of all the printing materials, etc., belonging to it. The reason for taking this step was, that in the *Gulshun-i-Nan-Bihar*, a Persian newspaper, published at the press in question, there appeared on the 21st June 1857, two articles of a grossly seditious character, obviously designed to excite disaffection towards the Government and to encourage resistance to its authority. After these prosecutions the native newspapers wrote considerably and cautiously.

But on the Anglo-Indian Press the Press Act produced no salutary effect. Sir George Trevelyan thus describes its tone during the Mutiny:—

“The tone of the (Anglo-Indian) Press was horrible. Never did the cry for blood swell so loud as among these Christian and Englishmen in the middle of the nineteenth century. The pages of those brutal and grotesque journals published by Hibert and Marat during the agony of the French Revolution, contained nothing that was not matched and surpassed in the files of some Calcutta papers. Because the pampered Bengal sepoys had behaved like double-dyed rascals, therefore every Hindoo and Musalman was a rebel, a traitor, a murderer; therefore, we were to pray that all the populations of India might have one neck and that all the thump in India might be twisted into one rope. It would be

wearisome to quote specimens of the style of that day. Every column teemed with invectives which at the time seemed coarse and tedious, but which we must now pronounce to be wicked and blasphemous. For what could be more audacious than to assert that Providence had granted us a right to destroy a nation in our wrath ; to slay, and burn, and plunder, not in the cause of order and civilisation, but in the name of our insatiable vengeance, and our imperial displeasure? The wise ruler (Lord Canning) whose comprehensive and impartial judgment preserved him from the contagion of that fatal frenzy was assailed with a storm of obloquy for which we should in vain seek a precedent in history. To read the newspapers of that day you would believe that Lord Canning was at the bottom of the whole mutiny ; that upon his head was the guilt of the horrors of Cawnpore and Allahabad ; that it was he who had passed round the *chuppaties* and the *lotahs* and spread the report that the Russ was marching down from the north to drive the English into the sea. After all the crime charged against him was, not that he had hindered the butchery, but that his heart was not in the work. No one had the face to say, or at any rate, no one had the weakness to believe, that Lord Canning had pardoned any considerable number of condemned rebels. His crying sin was this, that he took little or no pleasure in the extermination of the people whom he had been commissioned by his sovereign to govern and protect.

"After Lord Canning Sir John Peter Grant, Lieutenant-Governor of Bengal, had the gratification of being the personage most profusely and fiercely maligned by the enemies of the native : which honourable position he long retained, until of late Sir Charles Wood put in his claim,—a claim which has been instantly and fully recognised. A certain journal made the brilliant suggestion that Sir John Peter, had he dared, would very likely have released the sepoys whom General Neill had ordered for execution, and then proceeded to abuse him as if he had actually so done. This hypothetical case soon grew into a fact. It was stated positively in all quarters, that Sir John Peter Grant had set free the murderers of Cawnpore with a bombastic proclamation, containing the words 'in virtue



of my high authority,' an expression which at once discredited the story in the estimation of all who knew the man. Sir John and his high authority were reviled and ridiculed in the daily and weekly papers of England and India, in conversation, on the stage and on the hustings. Meanwhile, with native laziness and good humour, he said nothing and allowed the tempest to whistle about his ears without moving a muscle. At length the Home Government wrote out to the Governor-General, directing him to take cognizance of the affair ; and he accordingly requested the accused party to explain how the matter stood. Then Sir John spoke out, and affirmed that the report was a pure fabrication ; that he never enlarged a single sepoy ; and that, had he desired to thwart General Neill, such interference would have been entirely out of his power. Here-upon the press in general proceeded to make amends in a full and satisfactory manner. One newspaper, however, had no intention of letting him off so easily, and put forward an apology which was exquisitely characteristic, and which probably diverted the object quite as much as it was designed to vex him. The gist of it was, that Sir John had undoubtedly been falsely charged in this particular instance, but that he was such a confirmed and abandoned friend of the native as quite to deserve everything he had got ; and that no contumely, whether rightly or wrongly bestowed on him, could by any possibility come amiss."

Against the sweeping imputations on native character and loyalty, the Native Press of Bengal could not raise its voice for its feebleness. But fortunately there was an English weekly paper conducted by an Indian, the *Hindu Patriot*, which not only faithfully represented the native feeling on the military revolt, but also disproved with thoroughness the mischievous nature of the serious allegations made against the loyalty of the natives and Princes of India. Week after week this paper with great ability removed misapprehensions from the mind of the Government and exposed the passions and prejudices of its Anglo-Indian contemporaries.

Thus the Mutiny of 1857 more than anything else brought home to the educated people of Bengal the feebleness of their vernacular press and impressed upon them the necessity of having in vernacular a true organ of native opinion. Hence on the suppression of the revolt the *Shome Prakash* was started by Pandit Ishwar Chandra Vidyasagar and his friend Dwarika Nath Vidyabhushan of the Calcutta Sanskrit College. It came out under such good auspices that it at once commanded a ready sale. It originated an important change in the tone of the Vernacular Press of Bengal. It had for its primary object the discussion of politics. The trial and strain which the people had undergone since the renewal of the East India Company's Charter of 1853 and the fiery ordeal of the Sepoy Mutiny had prepared their minds for the revolution of which the *Shome Prakash* was the exponent. In bringing about that revolution which, without being confined to Bengal, extended to Bombay, Madras and Northern India, the immortal Hurrish Chandra Mookerjee, editor of the *Hindu Patriot*, had acted a conspicuous part. It might be said without exaggeration that it was he who taught the educated natives that, as British subjects, they had equal rights with the natural born subjects of Her Majesty, that the Indian Government could not ignore those rights, that their final court of appeal was Parliament and British public opinion to which they should appeal for the redress of all wrongs, and that if they would carry on their agitations soberly and constitutionally those high-minded Englishmen who swayed their destinies and who had no sympathy with those countrymen of theirs who take their cues from rabid Anglo-Indian prints, would pay every attention to all reasonable complaints and demands. His teaching went for nothing. The people were

roused in different parts of the empire, and the result was the rapid growth of the Native Press, both English and Vernacular, which is the only medium through which the grievances of the nation can be ventilated.

✓ The journals which thus came into existence did not vilify the community to which they owed their lives or bespatter each other with abuse, but dedicated themselves earnestly to the service and welfare of the country. They discussed the functions, policy and measures of the Indian Government, exposed the faults of individual officers, criticised the laws and pointed out the defects in the practical working thereof, advocated native rights and claims to a share in the Government of the land and demanded the political, social, religious, educational elevation of the people of India.

The appearance of a powerful organ of public opinion like the *Shome Prakash* just at the time when the whole community, English and Native, were violently agitated by the Sepoy Mutiny, its horrors and its legacies and its lessons, made a great impression on the rural population of Bengal and imbued them very strongly with the "anti-pathology of race." As a result in 1860 violent disturbances arose between European planters and the Bengal peasants regarding the cultivation of indigo in Bengal. Oppressions by the former led the latter to combine and refuse cultivating their lands with indigo or to enter into any contract with the planters. Hence the planters took the law into their own hands, began coercing the refractory ryots into submission and tried to influence the Government to renew and perpetuate a severe law which would have made unlucky peasants *criminally* liable for a breach of what was purely a civil contract to grow indigo for the English planters. The native press at once became the vehicle of the grievances of the peasants. Both

the *Shome Prakash* and the *Hindu Patriot* became the spokesmen of the discontented ryots. As the result of the agitation the Government declared once for all that the cultivation of indigo by Bengal peasants was quite optional with them and began to exercise a close supervision over the indigo planters.

The abovementioned agrarian grievances gradually ceased, but they left behind in the mind of the rural population "a stronger antipathy of race." To make rural life happy and to ventilate the grievances of the people another powerful vernacular paper came out in April 1863 called the *Grambarta Prakashika* (Publisher of Village News) by Harinath Mozumdar, a native of the Nuddea District who had considerable experience of agrarian grievances. He had served in his early life under an English indigo planter and had ample experience of the oppressions put upon the ryots by his master for the cultivation of indigo. All this made his newspaper a faithful reporter of rural grievances.

After five years in 1868 the now well-known *Amrita Bazar Patrika* came out as a weekly vernacular at the village of Magura in the district of Jessore. Magura is now known as Amrita Bazar. Its projector and editor was Shishir Kumar Ghosh, who is just dead. From the beginning this paper commented on Government actions with outspokenness and sometimes with virulence. It voiced popular opinion with force and received large public support from the outset as its publication became a supply to a demand. What the *Grambarta Prakashika* did for the Nuddea peasants, the *Amrita Bazar Patrika* used to do in its early days for the Jessore peasants. As a vernacular paper, its strength lay in its wit and sarcasm.

S. C. SANIÁL.

(To be continued.)

## Art II —A PLEA FOR NATURE-STUDY IN INDIAN SCHOOLS.

**I**N educational circles in Europe and America, increased attention is nowadays paid to the fostering of scientific education. For the purpose of promoting this object, libraries, laboratories and museums in increased numbers are being established in connection with educational institutions for the imparting of higher education. This new ideal of education is also being pursued by the educational authorities in India. We note with great satisfaction that the University of Calcutta has now split up the Premchand Roychand Scholarship valued at Rs. 8,000 per annum, into six studentships of Rs. 1,400 a year each, to be called the "Premchand Roychand Research Studentships." These studentships shall be awarded for promotion of research, and shall be tenable for three years, during which the students will be required to carry on some special investigation or work in the subject in which the same might be awarded. Two of these studentships shall ordinarily be awarded every year, one in a Literary Subject, the other in a Scientific Subject, the latter being any one of the following :—Mathematics, Physics, Chemistry, Physiology, Botany, Geology and Mineralogy, Zoology and Comparative Anatomy, and Experimental Psychology.

Similarly, in commemoration of its Jubilee held in March 1908, the said University has instituted two Jubilee Research Prizes of the value of Rs. 500 each, for the encouragement of original investigation and research. These prizes shall be awarded every year, one to be awarded for research in Arts subjects and the

other for research in Scientific subjects, which include Pure and Applied Mathematics and the different branches of Natural and Physical Science.

It would thus appear that the study of Natural Science, that is, of the three Sciences of Classification, namely, Zoology, Botany and Geology including Mineralogy will henceforth take a prominent position among the subjects prescribed by the University for post-graduate research. In order that a larger number of students may be induced to take up the aforesaid sciences for the subject of their post-graduate research, it is imperatively necessary that, in the earlier stages of the educational career of Indian students, some lessons should be imparted to them which would familiarise them with the commoner objects of nature such as trees and flowers, birds, butterflies and insects, and the like. The teaching of these lessons in elementary Natural Science requires methods which are quite different from those pursued for imparting instruction in the three R's. An eminent authority on the Science of Education says that, for the better teaching of the Experimental and Inductive Sciences of Physics and Chemistry, and the Sciences of Classification, namely, Zoology, Botany and Geology, the teacher should not only familiarise the young students under his charge with the actual experiments and the specimens, but that the latter should also manipulate the same with their own hands, for the actual specimens, when seen and handled, and the experiments when manipulated, make a more lasting impression on the mind than any verbal description can—an impression which is not only greater in intensity, but more faithful to the fact. As the most desirable form of knowledge is the full and precise conception of actualities—of

objects as they are, the necessity of experiment and the actual manipulation of the specimens become all the more important for the interest excited by the concrete detail is very great, it being the easiest of all forms of scientific interest.

It is admitted on all hands that the trees, the flowers, the birds with painted wings, the butterflies and moths with bright colors and varied forms delight the child. The fields and gardens and woods where they abound are the children's paradise. Every object in nature may be made to furnish scope for the exercise of their faculties of observation and perception in obtaining the ideas which will form the basis for the exercise of their reasoning powers when the latter shall have become developed. The subject for a reading, spelling, or composition-lesson may be found in any of the works of nature, whose wonderful teachings are too often neglected. With every new fact which they will learn through observation, they will learn new words, which may be subsequently utilised in describing the objects of nature in a clear and appropriate language. Thus every lesson upon an object of nature, say a plant, a tree, or a bird, will furnish material for a reading-lesson, an exercise in spelling and also in composition.

In proposing to make nature one of the bases of early education, it is not intended to teach from a textbook a set of scientific facts beyond the comprehension of young students, but to give them a glimpse of as many of those interesting phenomena which come within the scope of their understanding, as may be possible without attempting to investigate any of them in a truly scientific manner. The young students are to be led towards science only, and their sense-perception and observation so cultivated, that they shall go forth into the world with

their minds awake to all the useful, beautiful, and wonderful things around them.

The best way to initiate the young Indian student in nature-study would be for the teacher to take him for a walk, out of school-hours, into a garden or country-lane and familiarise him with the following particulars about the trees or plants that they may come across in the course of that out-of-school excursion :—

- (a) Common name in Vernacular and English.
- (b) Favourable locality or soil.
- (c) Distinction as herb, shrub, or tree; as annual or perennial.
- (d) Time of flowering.
- (e) Parts of flower, distinction and name.

The student should, thereafter, be asked to write a short description of the said tree or trees so that the facts of Natural History he has learnt concerning them, may impress themselves upon his memory.

The aforesaid method of teaching elementary Natural Science, which has been modified by me a little to suit the requirements of Indian students, is followed in the schools of the United States of America, as will appear from the following extracts from an article on "*Nature Study in Our Schools*" which appeared in *Education* for February 1892 :—

"Although much had been done by the teachers, with varying degrees of success and with differing shades of value, in the matter of teaching Elementary Science, no united effort had been made in Plymouth County up to the fall of 1888; and, so far as I know, no such effort had been made by any other county of Massachusetts. But at the annual meeting of the Plymouth County Teachers' Association of that year, after the delivery of a very able paper on 'School Work in



Natural Sciences,' by Mr. G. H. Martin, Agent of the State Board of Education, a vote was passed and a committee of five appointed to consider the advisability of introducing a course of Natural Sciences into the public schools of the county. This committee was to report at the next meeting.

"At the meeting in October 1889, the committee reported, and the association voted to print the suggestions contained in the report and to send a copy to each teacher in the county, also to send to each teacher, in June 1890, a list of questions concerning the work done.

"Plan of study proposed by the committee :—

#### WINTER TERM.

"Study of trees, native and cultivated in the following order :—

- (a) General appearance :—size ; form ; branching. Sketch.
- (b) Distinctive marks :—bark ; buds ; favouring locality and soil : leaf-habits (time of shedding, etc.) ; wood, appearance, qualities, and uses.

"In spring add study of tree-leaves. Sketch and press.

#### SPRING TERM.

"Study of native plants in order of appearance in flower :—

- (a) Common name. Make list on board.
- (b) Favouring locality and soil.
- (c) Distinguish as herb, shrub, or tree ; as annual or perennial.
- (d) Time of flowering.
- (e) Parts of flower, distinguish and name. Sketch.

" The following suggestions were made to teachers :—

(1) Study trees *with pupils* in out-of-school walks. (2) Use facts gained by observation for oral and written language training. A permanent record-book for each pupil may be useful. (3) Accompany work as far as possible with freehand sketching. (4) Do all the work suggested, if possible. In any case *do something*, and note carefully the result."

The aforesaid method of studying trees and plants, for teaching which the teachers were best prepared or rather least unprepared, has succeeded so admirably that the author of the article, from which I have quoted *supra*, says : " In this work the teachers have taken the children by the hand, to speak literally as well as figuratively, and gone into the woods and also, so to speak, brought the woods and the flowers into the school-room where they could be seen and talked about."

Another author experienced in nature-study as taught in the United States says :—" The æsthetic, as well as the scientific, has been too much neglected in the schools. Nature never forgets to adorn her creations. The delicate mosses growing on the edges of the mountain brook, and the flower that blooms in the vale where man never comes to admire it, are touching in their beauty. Nature was designed to be our first teacher, for the first faculties that awake in our being are those that apprehend her. Let us open the windows of our school-rooms to her and teach the little ones to admire and love her beauties, to use her joyfully, and not to abuse her."\*

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\* Vide an article entitled : " *A Plea for Increased Study of Nature in the Common School* " by Augusta Tovel in the *Education* for January 1888, published at Boston, U.S.A.

Similarly, in the course of the out-of-school walks, the attention of the student should be called to the commoner birds of the countryside ; and some information imparted to him about their Vernacular and English names, their external characteristics, and their habitats and habits. On the next day set apart for nature-study, the oral lessons previously imparted should be supplemented with lessons based on colored drawings of the said birds, that ought to be hung up on the walls of the school-rooms. Then the student should be called upon to write a short natural-history account of the said birds according to the following scheme :—

- (a) Vernacular and English names.
- (b) Their place in the system of classification.
- (c) Their external characteristics.
- (d) Their habits.
- (e) Their habitat.

Some of the commoner birds, which the students should be taught to study, are named below :—

- (1) The Shâlik (*Acridotheres tristis*)
- (2) The Gâng Shâlik (*A. ginginnianus*)
- (3) The Common Bulbul (*Molpastes bengalensis*)
- (4) The Red-whiskered Bulbul (*Otocomposameria*)
- (5) The Common Hawk-Cuckoo or Brain-fever Bird (*Hierococcyx varius*)
- (6) The Baukatako (*Cuculus micropterus*)
- (7) The Common Bengal Babbler (*Crateropus canorus*)
- (8) The Nilkanth or Indian Roller (*Coracias indica*)
- (9) The Green Bulbul (*Chloropsis aurifrons*)
- (10) The Blue-throated Barbet or Bara Basant (*Cyanops asiatica*)

- (11) The Magpie Robin or Dahiyal (*Copsychus saularis*)
- (12) The Golden Oriole or Mango-bird (*Oriolus kundoo*)
- (13) The Bee-Eater or Patringa (*Merops viridis*)
- (14) The Bronze-winged Dove or Raj-ghughu (*Chalcophaps indica*)
- (15) The Bengal Green Pigeon or Hariyal (*Crocopus phœnicopterus*)
- (16) The Common Crow-pheasant (*Centropus sinensis*)
- (17) The Paddy-bird (*Ardeola grayi*)

and others which may be common enough in the neighbourhood.

With regard to the plan for imparting lessons about insects and butterflies to students, as followed in the United States of America, the author of the article quoted *supra* says :—

“ More time has been given to insects than to minerals. The plan has been to begin with the general subject—animal—and separate into the branches, vertebrates, articulates, etc. In the lower grades these terms were not given, but from specimens the classification was shown, while in the grammar grades the names of the branches were used. Then the branch—articulate—was taken up and insects studied. In this the plan has been to collect and bring to school alive all the insects that could be readily collected, especially the larvæ. These have been fed by the children ; volunteers taking them home Friday nights to keep and care for over Sunday. They have watched them while eating, seen them spin cocoons and observed the transformation. They have written on the boxes containing the larvæ the date of collection, name of plant, or tree,

on which they were feeding, characteristics of same, date of cessation of eating, time of spinning cocoon, or of entering the earth, time of transformation, characteristics of the perfect insect, etc., so that each box gives, on the outside, the biography of its inhabitant. In the upper grades the names of the orders have been given; Hymenoptera, Lepidoptera, etc., but in the lower grades the common names, butterflies and bees, have been used.

"The insects are used in the language-study and drawing in the same way that trees and plants are. In one school the pupils asked the committee to furnish colors so that they could paint the butterflies. Their request was granted, and in their home-study some very creditable work was done. The parents are much interested in the study of nature, and in some cases are evidently learning something."

One drawback seems to stand in the way of teaching the young Indian students the natural history of butterflies and the commoner Indian insects. But this apparent difficulty might be obviated by using the English names thereof in an abbreviated form. By reason of their bright coloration, the butterflies, above all other Indian insects, would interest the young Indian pupils considerably. Each school ought to have some butterfly-nets, and on the cessation of the rains, the students should be taught, by means thereof, to collect butterflies and moths and to preserve them by pinning them on to papers and keeping them in empty cardboard boxes. During the hours set apart for nature-study, the boys should be taught to identify them with the colored illustrations thereof which every school ought to have hung up on the walls of its school-rooms. After the students have identified them, some general account of the said

butterflies and moths should be taught to them from the volumes on insects in the *Fauna of India* series. Then they should be asked to re-describe the same in their own words.

Against the practicability of the foregoing suggestions, three objections might be urged, namely, (1) that nature-study might interfere with the carrying on of studies in the other more important subjects ; (2) that there do not exist any elementary text-books on Natural History suited to the understanding of young Indian students ; and (3) that there are no teachers available, competent to initiate Indian students in nature-study. I shall reply to each of these objections *seriatim*.

In refutation of the first objection, I would say that, instead of interfering with the other branches of study, nature-study would interest the young students considerably. Concrete objects impress the brains of young people in a far more effective way than the dry-as-dust descriptions thereof. I have seen that, when young children are taken to museums and zoological gardens, they evince far greater interest in the various objects exhibited than they do if they are left only to read abstract descriptions thereof in text-books. If, in the course of the out-of school walks, their attention is drawn to the actual objects forming the subject of nature-study, and then they are made to read descriptions thereof in the light of the object-lessons previously learnt, they would find nature-study extremely delightful. In addition to the acquisition of knowledge required for the study of the other branches of the curriculum, their powers of observation would be awakened, thereby enabling them to realize the truth of Novalis' saying : "Only the weakness of our organs prevents us from seeing that we are in Fairyland." The

same experience, namely, that, instead of proving a hindrance to other branches of study, nature-study has facilitated the prosecution of the latter, has also been gained in the United States. The author, from whom I have quoted above, says :—

“I have asked this question of some of the teachers :—‘Doesn’t it (nature-study) hinder you in your other work?’ The usual reply is : ‘No, it is a help. The children seem so much more intelligent that we can really do more work.’ Those teachers, who do not wish to take up any new studies, even for their own improvement, and would be glad to drop some which they now have and more glad to drop all of them, consider it a burden. The time given to this work varies from five minutes a day to an hour a week. One teacher says she gives very little time *in* school, but the children come five minutes before school-time, gladly, to bring their collections and to talk about them.”

With regard to the second objection, I may say that, during the last few years a small literature has grown up on the subject of the Natural History of India, treated from a popular point of view. This includes the under-mentioned books :—

- (1) *Some Indian Friends and Acquaintances.*—A Study of the Ways of Birds and other Animals frequenting Indian Streets and Gardens. By Lieut-Col. D. D. Cunningham, C.I.E., F.R.S.
- (2) *Garden and Aviary Birds of India.*—By Frank Finn, B.A., F.Z.S., M.B.O.U.
- (3) *The Birds of Calcutta.*—By the same author.
- (4) *A Handbook of the Management of Animals in Captivity in Lower Bengal.*—By Babu Ram Brahma Sanyal, C.M.Z.S.

- (5) *Half-Hours with Nature*.—By the same author.
- (6) *Indian Birds*.—A Key to the Common Birds of the Plains of India.—By Douglas Dewar.

The books numbered (1), (2) and (3) *supra* are just the ideal ones required as elementary text-books for young Indian students wishing to learn something about the bird-life of India. They are profusely illustrated with coloured and plain plates of the commoner birds of the country. They are devoid of the technicalities of science and yet written in such an easy language as cannot fail to fascinate the young readers by interesting them in the fairy-tales of science unfolded in them. Portions of the book No. (4) so far as they describe the commoner birds, as also the work No. (5) *supra*, may also be taught. The book No. (6) will enable any person to learn, in a very short time, to identify almost all the commoner birds of his station.

On the subject of Indian butterflies and moths there are several volumes in the *Fauna of British India Series*. Portions selected therefrom and treating of the commoner species of the Indian Lepidoptera may be used as text-books.

In the same way, selected portions from Sir D. Brandis' *Trees of India*, dealing with the commoner Indian trees and plants, may be used as an elementary text-book on the subject of the study of trees.

It is true that some of the aforesaid books are a little too costly. This difficulty can only be obviated if the educational authorities should undertake the task of having cheap text-books on elementary Natural History, written in popular language and illustrated with coloured plates, composed by competent authors under their



supervision. The University of Calcutta has already set the example by undertaking a similar task with reference to the composition of a Sanskrit Grammar and a History of India for candidates for the Matriculation Examination. The same University will surely confer a great boon on the Indian community if its Boards of Studies in the various branches of Natural Science would, in collaboration with the Director of Public Instruction and the Superintendent of the Natural History Department of the Indian Museum, Calcutta, the Superintendent of the Royal Botanic Gardens, Sibpur, and the Scientists connected with the Agricultural Research Institute at Pusa, take in hand the preparation of elementary text-books on Zoology and Botany adapted to the Avi-fauna and the Flora of India and easy of comprehension by young Indian students. They might take, as models for the said proposed text-books, the three exceedingly popular books entitled "*Our Country's Birds and How to Know Them*;" "*Our Country's Butterflies and Moths and How to Know Them*" and "*Our Country's Flowers and How to Know Them*," by W. J. Gordon and published by Messrs. Simpkin, Marshall, Hamilton, Kent and Company, Limited, of London. These three books are marvels of cheapness and, at the same time, illustrated with a profusion of coloured plates. In these days of cheap colour-printing, the University authorities will feel no difficulty in getting plates illustrative of the commoner birds, butterflies, moths, trees and flowers of India prepared and chromolithographed at a small cost. Separate plates of the same objects may be prepared on an enlarged scale and, when mounted on linen and furnished with rollers like wall-maps, will be extremely suitable for the

purpose of being hung up on the walls of school-rooms. These wall-plates of birds, butterflies, moths and trees will not only serve to illustrate the lessons in Natural History taught to the students in the course of the out-of-school walks and excursions but also to beautify the naked walls of the class-rooms.

With reference to the third objection, it may be stated that, of course, there would be some difficulty in the procuring of teachers competent to train young students in nature-study. But this difficulty will be obviated if each school were to select a teacher with predilections for scientific studies from its existing staff, make him study some of the books referred to above, and then tell him off to commence giving his lessons in nature-study. When, in course of time, it will be found that a fair knowledge of the Natural History of India is one of the qualifications required from the candidates for the teaching profession, many young graduates will qualify themselves by studying the aforesaid sciences. Since the last few years, the University of Calcutta has also been holding an examination in Sciences and conferring the degree of B.Sc. upon the successful examinees. A dip into the *Calcutta University Calendar* for recent years will also shew that many students have taken the degree of B.Sc. in Botany. Many of these graduates in Science will be very glad to take up the posts of Science-masters in schools, when the same will be created. It would thus appear that this difficulty will be obviated gradually in course of time, as the necessity for the teaching of elementary Natural History in Indian schools is more and more recognised, and the number of graduates holding the B.Sc. degree becomes more and more numerous.

The utility of nature-study in Indian schools will be brought home to any one who is sincerely interested in the intellectual and moral education of Indian youths, when it is considered that India, of all other countries in the world, presents, by reason of her rich and varied fauna and flora, a suitable field for the study of Natural History. The young Indian students have eyes and, at the same time, no eyes at all. Although Nature around them teems with a wealth of bird-life and plant-life, they neither know anything about the untold riches which lie scattered at their very threshold nor have the faculty of observing them. Verily, their present mental condition exemplifies, in a remarkable degree, the truth of Novalis' saying : " Only the weakness of our organs prevents us from seeing that we are in Fairy-land." But if nature-study is initiated in Indian schools and the students are taught lessons in elementary Natural Science, both practically and theoretically on the lines indicated above, the powers of observation that lie dormant in them will be awakened ; nature will verily be brought from the woods and forests into their school-rooms and residential houses ; and they will come to look upon her in a kindlier and more appreciative light. As they will come to appreciate nature-study more and more, it will afford them many quiet and delightful hours of mental enjoyment which they had not known before ; they will be taught more and more to look through Nature up to Nature's God. As they would become well up in Natural Science, their powers of observation now awakened from their dormancy and stimulated by a sincere desire for the acquisition of knowledge, will lead them on to higher studies and to make researches into the Zoology and Botany of India for which India presents a very favourable field, and thereby

make, if not epoch-making discoveries, at least discoveries of new facts bearing upon the said sciences. As to the suitability of India for nature-study and the prosecution of researches in Natural Science, let us listen to the following remarks of one who spent the best part of his life in studying nature in India and who has enriched English literature and popular science by recording his observations of bird-life and plant-life in India in his highly delightful work entitled "*Some Indian Friends and Acquaintances*."\* "In Europe it may no longer be an easy matter for any one save a specialist to observe and record anything of novelty or interest in regard to common animals and plants, but this is certainly not yet the case in India. There, a troublesome conscience may still find comfort in the thought that periods of 'wise passiveness' are not necessarily barren of profit to all save those who indulge in them, but may become a source of pleasure to others through a record of their casual events. The habit of keeping up such a record may render the observer liable to the jeers of his friends as a disciple of Captain Cuttle, but, if he perseveres in it, he will find that he has been laying up heavenly treasure in vivid memories of times of quiet enjoyment; memories that, unless reinforced by contemporaneous record, must inevitably become dulled by lapse of time and change of circumstance, but which, when aided by it, continue to walk in their 'whiteness the halls of the heart.' In a country like India so many 'fountains of immortal bliss' lie open to everyone in that observation and record of events of daily occurrence that it seems to be almost a duty for any

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\* *Some Indian Friends and Acquaintances. A Study of the Ways of Birds and other Animals frequenting Indian Streets and Gardens.* By Lieutenant-Colonel D. D. Cunningham, C.I.E., F.R.S. London: J. Murray. 1903, pp. 7-8

one, who has realised how copious and unfailing they are, to do his best to make them known to others, however conscious he may be of his inability to do so in an attractive and adequate fashion."

Looking to the practical side of nature-study, it may be stated that an early training in Natural Science will enable young Indian students to qualify themselves more efficiently for those two blue ribbons of Indian scholarship, namely, the "Premchand Roychand Research Studentship" and the "Jubilee Research Prize."

SARAT CHANDRA MITRA, M.A., B.L.

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### Art. III.—DWARKA NATH MITTER : A BIOGRAPHY.

#### INTRODUCTION.

IF there is one thing more than another which British rule has done for India, it is this, that it has thrown open a wide door to mental culture. During Moslem dominancy there was no such thing as popular education, properly so called. The people were kept as strictly confined to their respective vocations as the serfs in feudal times were tied to the soil, and no one was allowed to travel out of his class and to take to a profession which did not pertain to it. The common adage—"The cobbler must stick to his last"—was given a very wide and extended application. Thus, it was impossible for a Viasya to adopt the military line, or for a Kshatriya to follow trade. In the same way the clerkly profession was the peculiar privilege of a certain class. Education was restricted to that favoured class and to that class alone ; it was caviare to the general. However naturally endowed and otherwise fitted one might be for that most honourable of professions, he could not hope to follow it, the door was closely barred and bolted against him. But when the English came to rule this country, this exclusiveness struck them as very strange, as it was quite alien to the principles and traditions under the influence of which they were brought up in England, that blessed land of freedom, where the greatest latitude is given to one's wishes and inclinations. These foreign rulers at once took the resolution that such a state of thing should not continue to exist. They accordingly opened schools into which every one from the highest to lowest was allowed access ;

and the result was that not long after a boy of the lowest caste was found sitting on the same form by the side of a fellow whose father was a nobleman of the highest order. In the eye of an Englishman the tree of knowledge is common property, and every human being, be his position in life what it may, is fully entitled to enjoy the produce thereof. He takes it to be the very reverse of the forbidden tree spoken of in the Holy Bible, and imagines that its fruits which produce nothing but good may be enjoyed by every one who has a mind to. Unlike the hidden hoarded treasures noticed in old fables and romances, this tree of knowledge is not guarded by the dragon of exclusiveness ; it is planted in the midst of all, and the general public are invited to partake of its precious produce. Surely English education is a great leveller ; it has put down all worldly distinctions and placed men of all castes and creeds on the same platform. As a necessary consequence of this demolition of artificial barriers, some of the commonalty who but for this happy change would have had to remain almost at the foot of the social ladder, have risen to the top and have cut figures which might well excite the envy and admiration of the greatest nobility in the land. To take one instance out of many, the late lamented Kristo Das Pal, who did not belong to a very high caste even among Sudras, could not have attained the high eminence which he reached, if his mind had not been tempered with the leaven of English education. He cut out a way for himself, and having followed it up with his usual diligence and earnestness, at last reached the goal of his ambition. The result was that he proved himself one of the ablest men and soundest politicians of his time, and his words of wisdom were listened to with the greatest care and attention

by the very highest personages of the land; and it is a well-known fact that one and all the Viceroys who ruled the destinies of India during the time he edited that first of native-conducted English newspapers, *The Hindu Patriot*, now fallen so very low, were always anxious to take his advice on important Indian affairs and followed it out in practice. Thus, he became a power in the land, and his influence for good or for evil was very great. Even the greatest notabilities of the land who but for his well-won influence would not have deigned even to speak to him, coveted his company with considerable earnestness and deemed it a great honour if they could secure his friendship. All this was owing to the influence of English education which knows no caste or creed, but like the dews of heaven sheds its blessings upon all alike. The subject of this memoir was another glorious fruit of that education whose catholicity is its chief merit. Dwarka Nath Mitter was a favoured child of nature. He, was endowed with high intellectual parts, and if genius is something more than the result of great labour and diligence as some philosophers have rather loosely defined it, was pre-eminently a man of genius. But if he had not had the advantage of English education, it was utterly impossible from the very nature of things for him to have attained the enviable height which he reached by dint of his natural parts and high mental culture. Our rulers were in the habit of thinking that however great a native might be, he could not aspire to sit side by side with one of their kith and kin in administering justice or performing other important functions. But with the spread of English education this notion came to be entertained with some hesitation, and, at last, when men



like Rama Prosad Roy, Shumbhoo Nath Pundit, Dwarka Nath Mitter, Kristo Das Pal and Ram Gopal Ghose came to the front and shewed to the world what excellent stuff they were made of, it was altogether relegated to "the limbo of vanities." Dwarka Nath by his brilliant parts has proved beyond doubt that a true native of the soil could, if he tried in right earnest, hold his own against any person either in the noisy arena of the Bar or in the solemn sanctuary of the Bench. Both as a pleader and as a judge Dwarka Nath won laurels and became the cynosure not only of neighbouring eyes, but of wide extensive tracts which only angels' ken could measure with its farseeing gaze. At the bar his reputation was very high, and the Judges before whom he practised were struck with his wonderful powers, so much so that some of them were candid enough to say that it was sometimes impossible not to be carried away by the torrent of his eloquence and the ratiocination and resourcefulness of his arguments. In the great Rent Case in which Dwarka Nath so highly distinguished himself, his able and learned advocacy which lasted for days together, produced almost a talismanic effect, and to compare great things with small, electrified the grand auditory much in the same way as the House of Commons were electrified by the stirring eloquence of Burke, Sheridan and Fox during the memorable trial of the great Indian satrap, Warren Hastings. Even Sir Barnes Peacock himself, than whom a greater judge has not come out to this country, looked upon Dwarka Nath Mitter as an uncommonly sound lawyer, and when an opportunity presented itself, strongly recommended him for a judgeship which he got in succession to Shumbhu Nath Pandit. In his higher sphere Dwarka Nath soon gained renown and became

the admired of all who deserved applause. The same great judge who had recommended his elevation showed his appreciation of his young colleague's merits by oftentimes taking him as his co-adjutant in administering justice, and, what was very remarkable, sometimes preferred the latter's views to his own. This was certainly no small honour, considering the position and character of the personage by whom it was done. As for the Court-going public, they were so very confident of the worth and ability of the young judge that when a case was fixed for hearing before him, they were sure that justice would be done and wrong set to rights. Thus, Dwarka Nath won the golden opinions of all, and by so doing cut a figure the like of which was never seen before. He established on a very firm basis the claim of the natives to very high posts and thus raised their position to a height which, considering the low opinion which the early English rulers had taken of them, they had not the slightest hope of attaining. But what was not dreamt of by the most sanguine of natives at last came to pass through the catholicity and dissemination of English education and the more than ordinary merits of such men as Shumbhu Nath, Dwarka Nath and some others of the like stamp.

But, though imbued with the spirit of Western culture, Dwarka Nath did not cease to be a Hindu. He may not, however, have been quite strict in what is called the orthodox mode of living, but there is no doubt that he was at heart a Hindu in the best sense of the term. He was a sincere patriot and loved his country with a love which a dutiful son shows to his revered mother. When any untoward thing happened to India, none felt for her more than he did, an

he tried hard in his own quiet unostentatious way at least to alleviate the misery, if not to remove it altogether. To his fellowmen he was ever kind and condescending, and it is an undoubted fact that his charity had a pretty wide range. Like the illustrious Vidyasagar of sacred memory, Dwarka Nath Mitter had established an English school and a charitable dispensary at his native village, and as long as he was in the land of the living cherished both with fostering care and spared neither efforts nor money to make them prove successful institutions. The school is still existing, but it is not in a flourishing state. One could have wished that he had set apart a fund for the purpose, but this was not done, a circumstance which is very much to be regretted. Barring the one single defect of his somewhat unorthodox mode of living, which originated from the peculiar circumstances in which he was placed by his exceptionally high position rather than from any radical change in his nature, Dwarka Nath Mitter was in his manners and his every-day dealings with the world a Hindu to the backbone. He was very kind and courteous to his old friends and associates, and although he had risen far above them in social rank and position, he never gave them the slightest cause for thinking that with the change in his lot in life his relation with them had also suffered a change. Indeed, to his fellows and friends he remained the same Dwarka Nath as he was before, and if for some reason or other any one of them failed to pay his usual visits he would take him to task on the very first occasion he met him next, and in his comico-serious way warn him to be more careful in future. Indeed, he knew the value and importance of friendship, sweet sacred friendship, and it is, therefore, no wonder that he proved a model friend,—a friend

whom one may well and profitably take after. But his kindness and cordiality was not confined to his friends ; it was extended to his kinsmen and his relations, and, what is very much to be admired, even to the lowest of his villagers also. These poor people of the primitive type, when they found that the boy "Dwari" had become a judge of the highest tribunal in the land, would very naturally be loath to take any such liberties with him as they had been accustomed to do while he was a young lad, and, therefore, whenever they chanced to meet him, they would try to escape his notice, or, if that was not possible, endeavour to keep respectful distance from him. But with his usual cheerfulness and urbanity he would not allow them to do so, and deal with them in the same manner as he was wont to do in his younger days. It is said and very wisely said that one who would be really great must exercise humility. In fact, humility is the stepping-stone to greatness. However paradoxical it may appear, no two things are more unlike each other than superciliousness and greatness. True greatness consists in the levelling of one's self to the common platform of ordinary humanity, and as the poet says

" Man is oftentimes nobler when he creeps  
Than when he soars."

Dwarka Nath's greatness was of this type, and it is needless to say that this is the truest and best type. He was fitted to shine both in high walks of life and in low and, as a matter of fact, was never found tripping in any. There was nothing very peculiar in his mode of dealing with a rich prince or with a poor peasant ; and if there was any difference at all, it was rather in favour of the latter than in that of the former.

The principle of liberty, equality and fraternity, he was a strong advocate of, and carried it out in practice. Taking all things together our hero must be taken to have been a very remarkable man, the like of whom is not to be found in every age or in every country.

In his domestic relations, too, Dwarka Nath was an exemplary character. His reverence for his old mother was deep and marked. The poet, Pope, was not more devoted to his mother than Dwarka Nath was to his own ; and it is a patent well-known fact that never since he attained years of discretion did he give his mother any cause for regret or even for the slightest displeasure. His maternal uncle, for whom he had great regard and whom he had made his general manager, had not, however, dealt with him very honestly ; but though the old man had incurred his deep displeasure by corruption and peculation, he did not give vent to it in any way whatsoever, lest by doing so he should wound the feelings of his mother. Such a jewel of a son Dwarka Nath was, and it is a pity that he did not live to take care of his mother in her last days and to do her the last melancholy service which every Hindu so much desires to render to those whom they owe their existence on earth below. But Dwarka Nath was not only a most dutiful son, he was also a loving husband, an affectionate father and a kind master. Thus, he was in every respect an exemplary character, and it is, therefore, needless to say that he is a fit subject for biography. Indeed, there has been no lack of good and great men in India, the only thing that seems to have been wanting was the dearth of biographers. This circumstance is very much to be regretted, and it behoves every true-born Indian who has the good of his country at heart to try to remove

this want in the best way he can. In the case of our hero one would be disposed to say that it is not every Boswell that finds such a Johnson, and would fain recall the words which Hamlet used in reference to his royal father who had been so treacherously murdered,—

“ He was a man, take him for all in all  
I shall not look upon his like again.”

## CHAPTER I

### ANCESTRY AND PARENTAGE.

The Mitters, or rather Mitras, of Bengal rank high in Hindu society. They trace their pedigree to one of the Kayastha followers of the five Brahmans sent to Adisur by the king of Kanouj; and are recognized as appertaining to a class which is made up of gentry and nobility, though not in equal proportion. People may dispute as to the Kayasthas having been originally Kshatriyas and, like them, having been duly invested with the sacred thread, but there is no doubt that they occupy the first place among pure Sudras. The Mitra families have not been huddled together in one particular part—they are to a more or less extent dispersed over the whole province. A sprinkling of them have located themselves in Kalachhara near Jonye in the district of Hooghly, a district so very conspicuous as the home of most of the gentry and nobility among Bengal Hindus. Like several others one Hara Krishna Mitra had his abode in Kalachhara. It does not appear whence his family had migrated to that place, but the fact is undeniable that it had been residing there for a considerable period. With Hara Krishna, however, its domicile suffered a further change. This gentleman was an employé of

the Burdwan Raj family, and as he had to remain for the most part in the south on business, he built a house at Agunshi, a village near the present station of Amta, in the extremity of the Hooghly district. This house which was originally built for a temporary purpose ultimately became the permanent residence of Hara Krishna. He removed his whole family thither, and his descendants have struck by that place with something like religious tenacity. Hara Krishna was a capital man of business, and as he was of a saving habit it was only natural that he should have left property and, as a matter of fact, did leave considerable property for his son Monohar to inherit. The latter was certainly not unworthy of such a father, but as ill-luck would have it, he was not allowed to enjoy his patrimony for long. The powerful Burdwan Raj to which the corpus of his property belonged in proprietary right, on some pretext or other resumed a considerable portion thereof, and the necessary consequence was that the family which not long ago had lived, if not in affluence, at least above competency, was reduced to a condition between which and indigence there was not much to choose. Monohar died leaving two sons, Anantram and Kaliprosad, to inherit what little he could leave for them. The elder, Anantram, was an intelligent young man who had his eye to improving the condition of his family. He somehow managed to be employed in the well-known Panchakote Raj, a principality which traces its noble descent from before the time of the great Bharat war; and by his ability and intelligence rose pretty high in the Raj service. As for the younger, Kaliprosad, he did not serve any body, but all along stayed at home looking after the family affairs. The two brothers were on the best of terms and they passed their days in

peace and comfort. At last, death in open defiance of the natural order of things took away the younger, leaving the elder to mourn the untimely loss of a beloved brother ; but Kaliprosad, young as he was, did not leave this world quite alone and unaccompanied. His beloved wife preferring the momentary pangs of death to the lasting miseries of widowhood, soon made up her mind to follow him, and, accordingly, availing of the barbarous custom which was then in vogue, burned herself on the funeral pyre of her husband. Thus, the two infant sons of Kaliprosad lost both their parents at one and the same time ; but bereaved as they sadly were, they were carefully kept from feeling deeply their heavy loss, for their elder uncle, Anantram, with his wife readily took their parents' place and commenced to rear them up as their own. The two boys, Hara Chandra and Pitambar, grew up under the fostering care of their near and dear relations and received all the education that was easily available at the time. Hooghly was then the chief centre of business in the district, and it was to this place the two brothers came to commence the battle of life. Neither of them, however, seemed to have a liking for service, and, as a matter of fact, chose the legal profession,—a profession which was then only getting into popular favour,—for the vocation of their life. The elder, Hara Chandra, became a muktear at the Judge's Court, while the younger, Pitambar, whose legal attainments were a little higher, commenced to practise as a pleader in the Court of the Moonsiff. But though for the purposes of avocation the two brothers resided at Hooghly, their family generally lived at Agunshi, and it was in this obscure insignificant village that the subject of this memoir, who was the first-born of Hara Chandra, first saw



the light of heaven. This happy event took place somewhere\* in the month of Jaishtha in the year of grace, 1240 B. S., corresponding to May-June 1833, A. D. Although Dwarka Nath cut such a very prominent figure later in life, still there was nothing singular or surprising in his birth. In fact, he opened his eyes under the most ordinary circumstances. To use the words of the Scottish Minstrel—

“ His birth no oracle or seer foretold ;  
No prodigy appear'd in earth or air,  
Nor aught that might a strange event declare.”

Thus, born like a common mortal, Dwarka Nath rose by sheer dint of his mental powers to a position which has secured for him the esteem and regard of a considerable portion of the civilized world. As Dwarka Nath was the first-born of his parents, it was only natural that he should have become their pet, more specially of the loving mother. Every indulgence was shewn him, and his whims and caprices, instead of being checked as they should have been, were in most cases tolerated or connived at. This circumstance contributed in no small measure to fan the flame of his natural naughtiness. Indeed, he passed for a mischievous urchin and was the terror of his little playmates. In this respect he resembled the two great leviathans of learning in Bengal, Chaitanya and Jagannath, both of whom were notoriously wicked and outrageous in their boyish days. But though a little too naughty in his conduct and behaviour, young Dwarka Nath was remarkable for the precocity of his intellect. Even before he commenced “chalking out” his native alphabet, he had learnt it by rote and had shown some prognostics of future

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\* The exact date of his birth cannot be given, as his horoscope is not forthcoming.

greatness. Indeed, the truth of the saying,—“The child is the father of the man,”—was strikingly illustrated in his case. In this way the time came for placing him in the hands of the *Gurumahasoy*, the little tyrant of the village, whose dreaded ferrule in the good old days proved so very effectual in reclaiming wicked boys from evil ways and practices.

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## CHAPTER II.

### PATSHALA AND SCHOOL DAYS.

WHEN it was found that Dwarka Nath had stepped into his fifth year,—a year in which Hindu boys are generally ushered into the solemn sanctuary of learning,—his parents placed him in the village patshala. On an auspicious day the Guru put the primitive chalk (*khandi*) in his hand and made him write out the three initial letters of the alphabet on the bare floor of the school room. As Dwarka Nath had already learned his A. B. C. by rote, it was not long before he also learned to chalk them out to the eye. Indeed, Dwarka Nath made such rapid progress in his studies that the old Abecedarian looked upon him as an exceptionally intelligent lad. In the course of a year and a few months he mastered the elementary three R's and surpassed all his fellows, even though most of them were far superior to him in years. In fact, the march of his mind at such a tender young age was not in any way slower than that made by young John Stuart Mill, even though he did not, like the latter, possess the rare advantage of the constant care and high tutorial training of a very accomplished and experienced father.

In point of fact, while learning at the patshala, Dwarka Nath only rarely came under the direct influence of his father, as the latter for the most part of the year resided at his place of business in Hooghly, far away from home. But though he did not enjoy the benefit of home training,—a training which is of so much help to school training,—still the progress which he made without any such aid was simply wonderful, and he had only just completed his sixth year when it was found that he had mastered all the knowledge which an elementary school of a primitive Bengal village could impart. But not only did Dwarka Nath excel his fellows in his studies, he also proved quite a match for any of them in active sports. He was an expert swimmer, and was also a capital hand at *Gulidanda* and *Kobadi*, both of which have, it seems, now given way to cricket and football even in out-of-the-way villages. As Lord Chesterfield has justly observed, active sports are not to be reckoned idleness in young people, it is the listless torpor of doing nothing that alone deserves that name. Even when at college, Dwarka Nath did not altogether forget the bracing sports of his boyhood. He was of opinion,—and in this opinion he was at one with many well-known men,—that good physique, which, as we all know, can only be acquired and maintained by regular bodily exercises, was a great help to the development of the mental powers. Indeed, the mind and the body are so closely related that they act and react upon each other; that a sound healthy constitution contributes in no small measure to the improvement of the mental faculties; that very few are found to be strong in mind who are not equally strong in body. Dwarka Nath was very fortunate in this respect: he was exceptionally sound and healthy in mind as well as in body; and it is,

therefore, not surprising that he peered above his class—fellows and won the affection and admiration of his teachers. Indeed, Dwarka Nath was not an ordinary boy ; he was far above the average, and such was his aptitude for knowledge that what others took four months in learning he could do it in one. His natural parts were of a very high order, and, wonderful to say, he seemed to learn by intuition, for, though he was found more often at play than at his books, whenever he made an exertion he did more than any one else. But not only was his intellect out of the common, his memory too was astonishingly retentive. He readily took in what he read and heard, and the impression thus made on his mind took firm hold, so that he seldom forgot what his mind had once got hold of. For such a boy to make more than ordinary progress in his studies is not at all to be wondered at. When Hara Chandra found to his utmost satisfaction that his boy had so soon gone through his initial Bengali training with signal success, he took him to his place of business at Hooghly and placed him in the local Branch school which had been only lately established under the auspices of the Judge-Magistrate, Mr. D. C. Smyth, a name which has become a household word in the district. The school, though established only a few years since, was flourishing under the fostering care of its first head, the well-known Parbati Charan Sircar, the elder brother of the famous educationist, Peary Charan Sircar of laudable memory. Attached as Dwarka Nath was strongly to his mother, he felt the separation rather a little too keenly, but it was not long before he accommodated himself to altered circumstances and took kindly to his study. He soon made his mark at his class, and though much younger than

many of his fellows, gained the special favour of his teacher.

As years rolled by, he began to show to better advantage what an admirable cast and complexion his mind possessed. He was always the head boy of his class and carried off the first prize. One and all his teachers praised him highly and declared in so many words that he was sure to rise very high in the world, should God only spare his life. I have said that when he was admitted into the Branch school, Parbati Charan Sircar was the Head Master. Among the other teachers were Khetter Mohan Chatterjee, Dwarka Nath Chakravarti and Srinath Bannerjee, the benefit of whose teaching Dwarka Nath enjoyed in an eminent degree ; and even when he had risen to the highest eminence to which a native of the soil could possibly aspire, even at that time he did not fail to acknowledge the great obligation under which he lay to them. As for Babu Khetter Mohan, by whom he seemed to have been benefited the most, he used to say that he owed him an immense debt of gratitude, inasmuch as a considerable portion of what he had learned at school was all due to the excellent mode of teaching practised by that David Hare of Hooghly. He was also sufficiently grateful to his two other tutors, Dwarka Nath Chakravarti and Srinath Bannerjee ; and whenever in late life he came to Hooghly, he never failed to inquire about them. Indeed, he never forgot his school days and the few persons who were instrumental in rendering those days so very happy to him. I have heard from Srinath Babu himself that once in 1872, when he paid Dwarka Nath a visit at his lodgings in Chinsura, where he was putting up during the Durga Poojah holidays, he received a

welcome far beyond his most sanguine expectations. Before Dwarka Nath was promoted to the first class, Parbati Babu had been succeeded by Khetter Babu, and it was under the immediate teaching of the latter that the young *alumnus* closed his school career by obtaining a Junior Scholarship\* of Rs 8 a month. Dwarka Nath was barely fourteen years of age when he achieved this first substantial triumph in his scholastic career. The joy of his teachers knew no bounds, and they one and all blessed him that he might live to achieve far greater honours in the sphere into which he made his entrance with such signal success. Just as at the Bengali patshala, so also in the English school, Dwarka Nath was not only conspicuous for his intellectual superiority, he was also remarkable for his dexterity in juvenile sports and pastimes. He was a capital hand at cricket and often came out victorious in that most fashionable of outdoor sports. While he was a pleader in the High Court, he once came to argue a case before the Judge of Hooghly. After the case was over, he went to pay a visit to his old school, and the very first thing that attracted his notice at that solemn seat was the bowling ground, where many a time he had shown his skill in driving the ball or knocking down the wicket. The place called up many events which had long lain buried in the dim and backward abyss of time, and such was the peculiar bent of his mind that he must have wished with Coleridge that he were a boy again. Indeed, schoolboys are the best part of a man's life, and if they were attended with academic triumphs as in the case of Dwarka Nath they were, their remembrance becomes a source of

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\* The Junior and Senior Scholarships were instituted in 1842 with a view to bringing up students in general proficiency.

special pleasure, the like of which one may seek in vain to find in any other walk of life. A word or two more about Khetter Mohan Babu and I shall have done with this part of my subject. That very popular pedagogue was certainly not a man of very great abilities, but his mode of teaching was very effective. Like DeRozio of Hindu School fame he knew very well how to impress upon his pupils the sacred duty of thinking for themselves. He merely showed the way, leaving them to follow it up by their own individual efforts. Fortunately, the evil days of key-making, now so very rampant, had not yet dawned in Bengal, and boys generally exerted themselves to go through their lesson without such ill-directed extraneous aid. In addition to his other qualities, Khetter Mohan Babu was a great disciplinarian and always tried to keep his pupils within bounds. But though strict in preserving order, he was not wanting in kindness to his boys. In fact, what Dr. Johnson said of his tutor, Mr Jordan, equally applies to this Hindu teacher. "Whenever," said that literary Dictator of the eighteenth century, "a young man becomes Jordan's pupil, he becomes his son." No wonder that such a teacher as Khetter Babu made a very favourable impression on the tender mind of Dwarka Nath and was looked upon with a feeling in which the severity of awe was softened by the leaven of love. To compare great things with small, Dr. Arnold was not held in greater esteem by the Rugby boys than Khetter Babu was by the students of the Hooghly Branch school. The latter not only deserved regard, but also commanded it and well earned the reputation of being the 'guide, philosopher and friend' of the dearest pledges of the nation.

## CHAPTER III.

## COLLEGE CAREER.

In 1847 Dwarka Nath Mitter joined the Hooghly College, where his reputation had preceded him. He was then quite young, much younger than most of his fellows, but his intellectual parts,—qualities which make a human being what he is,—were far above his years. He soon won the favour of his new teachers and became the Don of his class. His unprecedented success was a matter of wonder to his college mates, for which there was certainly very good reason, as they almost always found him passing his daytime in pastimes and pleasures, little knowing or caring to know how he passed the silent solemn hours of night. The fact was that his daytime frivolities only served as an impetus to his lucubrations which were prosecuted with great diligence and perseverance. He slept only a few hours in the night, spending the rest in deep study which the sacred stillness of the time so well favoured.

From the time Dwarka Nath obtained a Junior Scholarship, his education cost his father very little. Indeed, he ever after held stipend throughout his college career, which under ordinary circumstances was quite sufficient to meet all his necessary expenses. The Junior Scholarship had been held for two years, when in 1849 he obtained Rani Katyani's\* Scholarship of Rs. 18 a month. This was ere long followed by another literary triumph. At the examination which was held in 1850, Dwarka Nath stood first among the candidates who had competed for the Senior Scholarship and was awarded

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\* This noble lady of much-revered memory was an illustrious member of the royal family of Kandi, a celebrated aristocratic house which was founded by Dewan Ganga Govinda Singha, so well known to fame, and which is only second to the renowned Burdwan Ra'.



a stipend of Rs. 30 a month. This was no small honour from an academical point of view, but greater honours were still in store for him, and they were not long in coming. In the examination of 1851-52 he came out with his usual success, and the Council of Education showed their appreciation of his great merits by publishing in their Reports his answer papers in history. These answers plainly show that Dwarka Nath was far above the ordinary run of scholars, and that in addition to a deep and accurate knowledge of history he had acquired a remarkable command over the English language. Indeed, he took a great pleasure in reading historical works. Gibbon, Alison and Guizot were almost at his fingers' ends, and such was the wonderful power of his memory that he had got by heart almost all the brilliant passages that adorn the pages of those veterans of the historical art. But though history was his *forte*, Dwarka Nath was not deficient in other subjects. Indeed, his mind was cosmopolitan and took kindly to almost all kinds of studies. His love of English literature was in no way inferior to his love of history. Even mathematics, dry as it is, had taken firm hold on his mind, and he used to say that to make one's intellect sharp, solid and strong, it had to be struck again and again against the hard rock of mathematics. And not only pure, but also mixed, mathematics engaged his attention, and it is a well-known fact that long after he had left the precincts of the college he found exquisite pleasure in working out problems in Integral and Differential Calculus.\* Thus, it is clear that Dwarka

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\* Dwarka Nath also translated from the French some portion of Auguste Comte's *Analytical Geometry of Two Dimensions*, a work of great merit. This fragmentary translation, which one would heartily wish had been continued and completed, appeared in *Mookerjee's Magazine*, a high-class monthly conducted by a talented native of Bengal.

Nath was an all-square scholar, and no wonder his academical success was quite out of the common. The Principal and Professors of his college were justly proud of him and they warmly congratulated him on his scholastic achievements.

In 1850, as I have stated above, Dwarka Nath had obtained a stipend of Rs. 30 a month. In the year following he added another feather to his cap by obtaining the highest stipend then awardable to a student, *viz.*, Rs. 40 a month. In 1852 he was promoted to the 1st class of the college department. At the examination which was held in 1853, his usual success shone out with greater brilliancy, and his productions at the Examination Hall won unusual credit and were published in the Reports of the Council of Education. These exercises are simply admirable and mark out their author as one of the most meritorious scholars that the world has ever produced. Conspicuous among those productions was an Essay, the value of which, taken by itself, is certainly very great ; and considered in view of the peculiar circumstances under which it was written, its value is increased tenfold. The subject of the *Essay* was the good old saying—"What man has done man may do ;" and young Dwarka Nath dealt with it so very ably and eloquently that the examiner was really struck with the admirable excellence of his style and the equally admirable force of his reasoning power. And what was still more remarkable, that famous literary veteran, Captain D. L. Richardson, than whom a greater literary man has not come out to the Far East, most favourably noticed the literary feat of the Hindu boy in his *Literary Gazette*. The Essay, which had won such high praise at the time and which is still the theme of admiration among the educated few in Bengal and

for that matter in all India, deserves to go down to distant generations as a renowned trophy in the education department, and I should surely be wanting in justice to its much-lamented author if I did not find for it a place in this his biography, however imperfect my work might be in other respects. The Essay runs as follows :—

“WHAT MAN HAS DONE MAN MAY DO.”

Lives of great men all remind us  
We can make our lives sublime ;  
And departing leave behind us  
Footprints on the sands of time ;—  
Footprints that perhaps another,  
Sailing o'er life's solemn main,  
A forlorn and shipwrecked brother,  
Seeing, shall take heart again.

—*Longfellow.*

Not Fortune's slave is man ; our state  
Enjoins while firm resolves await  
On wishes just and wise,  
That strenuous action follow both,  
And life be one perpetual growth  
Of heavenward enterprise.

—*Wordsworth.*

What noble and spirit stirring sentiments are embodied in the mottoes before us ! The first calls upon us in a language at once beautiful and energetic to study the lives of the great and noble spirits that have in different ages blessed our planet, to mark every important feature in their character and take them as the models of our imitation that “we can make our lives sublime,” and that we may at our departure from this great scene leave behind us examples for the imitation of others—examples that may guide and support them in their passage through life, and arm them with courage to encounter and perseverance to overcome the greatest

difficulties chance and accident may throw in their way. The other motto emphatically tells us that, however great the empire of Fortune may be supposed by some, man, the image of his glorious Creator, can, if he like, place himself far above the reach of her influence, and that good and benevolent wishes on his part, when supported by firm resolutions to put them into execution, can make his life, in spite of every fortuitous accident, a continual tissue of great and noble deeds and a perpetual preparation for his restoration to the "blissful seat." Although both these mottoes breathe the same spirit of moral advice, let us for the sake of clearness consider them separately.

There is no branch of knowledge which directly produces a more powerful influence in improving our conduct and in exalting us in the scale of excellence than the biography of eminent and great men. By great men we do not refer to princes and lords ; for these are "but the breaths of kings," and to speak in the language of Young, "a fool that wears a title lies." On the other hand, the man who has so succeeded in preserving the rectitude of his heart amidst the incessant temptations of vice ; who has preserved one even tenor of virtuous conduct in the most trying situations "flesh is heir to;" who has opened new fields of moral and intellectual inquiry for human pursuit ; or has thrown light on subjects that tend to enlighten the human mind, is truly deserving the title "great." Persons like him are among the noblest work of God and worthy of every body's imitation. They are like beacons in "life's solemn main," and our frail barques, tossed by the merciless waves of fortune, can only be saved by following their "footprints." They are "the salt of the earth that seasons human kind." When we

think upon the perils they encountered and the glory they obtained by surmounting them, we are not only lost in silent admiration, but forgetting for some time the limited scope of our abilities, and as if "inspired by a fortitude from heaven," we strain every nerve to follow their noble example and to vindicate our importance in the creation. When we see them dying like Socrates or reigning like Aurelius, employed like Newton in exploring the ever-extending realms of science, or bravely fighting like the noble Washington for liberties of his country, instinctive feelings of reverence arise and fill our minds; and resembling our kindred nature to them we are excited to trace steps in those noble paths that they struck out. The present advanced state of the world is in a great measure the work of such inspiration. It is a fact admitted on all sides, that, generally speaking, the condition of mankind is in both social and moral respects continually improving. Continual progress is the law of human nature. But to what cause is this superiority of the present over the past to be attributed? Is it because modern times have produced greater intellects than ancient times? This is very doubtful. Ancient Greece and Rome produced men who (as far as greatness and originality of genius are concerned) can stand in fair competition with the mightiest minds of modern times. The progress of human nature is, therefore, in a great measure, to be attributed to that spirit which, while it teaches us to imitate, enables us at the same time to surpass our predecessors. The great genius of Newton was led by the light of Bacon's philosophy and the successors of Newton, among whom were men like Laplace and Lagrange, followed the path he struck out, and found ample work for their great minds to be engaged

in exploring the inexhaustible field of knowledge he had opened to their view. But it is always to be carefully borne in mind that it is incumbent upon us to imitate the excellencies of great men and to avoid as far as we can their failings. No reverence for their virtues must be allowed to consecrate faults and errors. For the further elucidation of this subject let us take the example of Bacon. That Bacon was in many respects far in the van of mankind, no one can possibly deny ; and it must be the constant care of every one to imitate him as far as it lies in his power in those respects. But that he was in many other respects far behind his fellow creatures is equally undeniable, and while imitating his excellencies we must not forget ourselves so far as to imitate his faults and errors. While we must do all we can to follow Bacon as he is characterised by Pope by the first two epithets in the last line of his well-known antithesis, it must be our constant duty to avoid the last trait of character ascribed to him by the poet in the same line. We must reject the idols Bacon has warned us against, but we must not fall flat at the shrine of those other idols he himself worshipped. Compared with the revolution which great men have brought forward in the moral and intellectual condition of mankind, every other change utterly loses its importance. While the great contest about the classification of the animal kingdom was doubtfully going on between Geoffroy and Cuvier, the poet Goethe happened one day to meet one of his friends newly come from Paris and asked him how was the "great explosion" going on? His friend mistaking what he meant, answered that the revolution (the French Revolution) had come to that pass that there was a great probability of the Royal family being banished. The old poet cried "pooh"

to this reply, and said that he asked about the other revolution, the true revolution of the mind, the revolution that will affect the whole world. Napoleon on one occasion in Egypt could not refrain from saying that, instead of treading in the footsteps of Alexander he would have better liked to tread in those of Newton. Such are the charms of moral and intellectual excellence, charms which, while they dazzle us by their splendour, excite us to try our best for possessing them. Thus emboldened and thus benefited by noble examples, it may happen that others following us may tread in our footsteps and imitate our glory. Our inflexible perseverance in moral rectitude may strike succeeding generations with admiration, and our weakness in prosperity and patience in adversity may perhaps raise the drooping spirits of many "a forlorn and shipwrecked brother."

Let us now return to our other motto. Human life, as the Stoics said, is a game of mixed chance and skill. But it depends in a great measure on our own selves whether we are above or below "chance." If to "wishes just and wise" we combine "firm resolves," and if "strenuous action follow both," we can, even when crossed by fortune, maintain our proper dignity and can smile at the greatest injuries she may inflict upon us. To entertain such wishes as are really worthy of being entertained, to adhere with unflinching resolution to their execution, are duties imperative upon human nature, and if strictly obeyed, can never fail to make man inaccessible to all the freaks of fortune. To a man of this character, wherever he is placed and to whatever difficulties exposed, the whole world is an inexhaustible source of delight, and he can justly say with Thomson, "I care not fortune what you me

deny." His mind is at all extremities supported by thoughts like those which dignified the poverty of Turgot and brightened the declining years of Franklin. Such a course of life is the proper end of man's existence, and his deficiency in any of these three points, "wishes wise and just," "firm resolves," and "strenuous action" renders him proportionately subject to the influence of fortune; and an utter neglect of them makes him her "slave." Mere good wishes, to speak in the language of Bacon, though "God accept them, are little better than good dreams." If we intend a noble object and make no effort to carry it out, we leave out a capital part of our duty, a part upon which great stress ought to be laid and for which chiefly, as it appears from the consideration of many instances in our moral and intellectual constitution, we have been made by our great Creator. If we allow "the native hue of resolution" to be "sicklied o'er with the pale cast of thought," we subject ourselves to every evil which irresolution can entail upon mankind. A man who merely entertains good wishes and rests contented without trying, as far as he is able, to convert those wishes into solid acts, can be very easily dispensed with in society; nor can he meet with our moral approbation. How poignant yet now true is the following remark on Sterne. It is very cuttingly observed by a critic that Sterne had "too much sentiment to have feeling." and how painful is it to reflect that a man, who could write such pathetic lines upon the misery of a bird confined in a cage, could suffer his own mother to rot in jail for debt when he himself was in affluent plenty. The greatest depths of sentimental feelings like those of Sterne cannot be offered as an excuse for the least neglect of active duty; on the other hand the man who



gains noble ends by noble means or failing, smiles in banishment or captivity is truly great, and his life alone is "one perpetual growth of heavenward enterprise."

DWARKA NATH MITTER,

HOOGHLY COLLEGE, 1ST CLASS,

*Senior Scholar, 1853-54.*

In the very same year in which he achieved such marvellous triumph at the Examination Hall, Dwarka Nath carried off Mr. David Money's\* Gold Medal for the best English Essay at the Hooghly College. The year 1854 was more glorious still to Dwarka Nath, for in that year he reached the highest point in his college career, celebrating it with achieving a series of intellectual triumphs which any scholar might take pride in. To retain his scholarship of Rs. 40 for another year, Dwarka Nath was required to secure in the aggregate 75 per cent of the marks, and he acquitted himself so very brilliantly that he was looked upon almost as a prodigy. Indeed, he secured very high marks in one and all the subjects of examination and was gladly granted the privilege of retaining his stipend for one year more, but that was not the only triumph which the illustrious scholar achieved in that most glorious year in his scholastic career. He again carried off Mr Money's Gold Medal for the best essay; and not content with these trophies, also fought for the Library Medal and won the day. This last was the most doughty feat of all, as he had to contend with students who were much

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\* This gentleman was for a pretty long time Magistrate and Collector of Hooghly, where he earned well-deserved popularity by his good manners and able and conscientious discharge of duties. He was also a warm patron of learning and encouraged the students of the Hooghly College by awarding a Gold Medal every year to the best essayist amongst them. He was afterwards elevated to the Sadar Diwani Adalat, but it was not long before ill health compelled him to retire from Indian service and leave this country for good.

older and enjoyed quite a reputation in the college. The struggle for the prize was therefore very hard, but all the same he gained it by dint of the wide range of his reading and the wonderful dexterity with which he wielded that very powerful weapon which is justly considered as mightier than the sword. The Hooghly College library has always been a Bodleian in miniature, and any one who was fortunate enough in winning the Library Medal must be considered to have acquired a very large amount of book lore. Therefore, for Dwarka Nath to have won the Library Medal was not an ordinary feat and well it was that it extorted praise from all quarters. The Hooghly College is justly proud of such an *alumnus*, and as long as it exists, will keep in sacred trust the name of such a most remarkable of its products. Indeed, Dwarka Nath's college career was a grand success and finds very few parallels in the annals of the educational institutions of the world. A career so very rare would under ordinary circumstances have excited the envy of his class mates, but such was the wonderful goodness of his nature that instead of being jealous they were really proud of him and deemed it a great honour to have such a one for their friend. Never was a scholar so far from exciting jealousy in others or entertaining it himself. The one was prevented by the excellent qualities of his heart as the other was by the equally excellent qualities of his head. Dwarka Nath was not only fond of his own class mates, he also extended his affection and sympathy to his juniors. Of these latter, one named Debnath had by his exemplary conduct earned his special favour, so much so that when that very promising lad fell ill, Dwarka Nath ministered to him day and night, seldom leaving his bedside until he was in a fair way to

recovery. Rare as it is, it is only such friendship that deserves the name and is entitled to have the epithet, *sacred*, attached to it.

Dwarka Nath had gained the favour of his teachers not only by his superior mental ability but also by his excellent general conduct. He was a good soul and was the first and foremost to assist others in their need. Oftentimes mere trifles show the man better than great deeds. While a college student, a fire broke out at Protappur in the southern part of the town of Hooghly, where his lodgings were situated. On coming to know what the matter was, he hastened to the spot and tried his utmost best to extinguish the fire. The example set by such a young man of a respectable class stimulated the commoners and they all worked hard with the result that the fire which would otherwise have done much mischief and injury was soon put out. This matter coming to the ears of the Principal of the College, Mr. Kerr, he on first meeting Dwarka Nath the next day, praised him saying, "I am glad to learn that you acted so nobly last night. You acted quite like a European gentleman" This striking feature in his character clung to him through life, for even when he was practising so very successfully as a vakil of the High Court, he assisted in putting out fire in a poor man's hut within hail of his house at Bhubanipur. Surely, he was a sincere well-wisher of the human race and seldom slipped an opportunity of doing good to them.

While Dwarka Nath was still in his teens he met with some sad reverses. At the time we are speaking about, the railway system had not been introduced into India; and people used to do their journeys on foot and sometimes by boat or on bullock cart. Once on the

closure of the Courts in consequence of the Durga Pujah festival, Hara Chandra, accompanied by his son and a few others was coming home in a boat. The time was not bad for boat journey, but as ill-luck would have it, when the vessel with its precious human cargo neared Hatkhola ghat in the town of Calcutta, it suddenly sprang a leak and sank in deep water far away from shore. The art of swimming, of which Dwarka Nath was a perfect master, stood him in good stead on this occasion, and he soon swam to the shore and stood on *terra firma*. His father and his cousin also saved themselves in the same way; but the other passengers in their helplessness were irretrievably lost and were consigned to a watery grave. This melancholy accident weighed very heavily upon old Hara Chandra, and it was not surprising that not long after he fell ill and took to his bed from which, alas! he never rose again. As Dwarka Nath was his eldest child, he was the fittest person to apply the torch to his face as the custom is; but by no means could he be made to do that most painful duty to one so near and dear to him. All words and entreaties were thrown on him in vain; man of strong resolve as he was, he stood firm as a rock and could not be moved. Under such circumstance the torch-giving ceremony, the very idea of which is so very shocking, was performed by some body else.

The death of his father had this tangible effect on Dwarka Nath's mind, that from thence he centred all his love and reverence on his mother, and proved to the world what a dutiful son he was. Indeed, his regard for his mother was very great, aye, it was only next to the veneration in which he held his great Creator in Heaven. This love actuated him throughout his life, and though it sometimes placed him in a very awkward

position, he never repented of it, but continued to cherish it most dearly to the last days of his life. As I have already stated, Pope's love for his old mother was not greater. In this connection I deem it necessary to give prominence to a fact which that best of teachers, wise old Experience, has taught us. It is this that, men who are wanting in love of their mother seldom, if ever, become great; whereas those whose devotion in this respect is out of the common generally cut very remarkable figure in the world. The instances are so many all the world over that one has only to look around to be convinced of its truth. Dwarka Nath's love and reverence for his mother was a very striking feature in his character and served only to add lustre to the other brilliant qualities of his head and heart. Proud as he was of his extraordinary parts, he would not stoop to any kind of condescension even before the highest in the land; but to his mother—his dearly loved and revered mother—he was as humble as the earth and the very emblem of submission. Indeed, his conduct in this respect was the theme of admiration even amongst those who had the reputation of being worthy sons.

A few anecdotes in connection with Dwarka Nath's college career would not be out of place at the fag end of this chapter. These anecdotes have a value of their own and serve to throw out a glimpse of that greatness which was to blaze forth in the near future. Dwarka Nath's sense of justice was very strong and his nature was so constituted that whenever he witnessed any aberration from it he could not help showing his utmost displeasure, I had almost said, indignation, at it. A few months after he joined the Hooghly College, an occasion arose for class promotion. Dwarka Nath, as was his wont, had acquitted himself well at the examination

and had secured a very high place ; but as he laboured under the disability of non-age, Mr Graves, the Head Master of the school department, was averse to promoting him, and while patting him on the shoulders in view of his having done remarkably well at the examination, nevertheless told him that he was too young for the class. This was more than young Dwarka Nath could bear, but as he knew very well that any remonstrance on his part would be of no avail, he gave vent to his feelings in tears which though silent proved more eloquent than words. Fortunately for him, all this was observed at a distance by Captain D. L. Richardson, the then Principal of the College, who hastened up to the spot where this tragi-comic scene was being enacted, and said in all seriousness : " That would be a piece of gross injustice, if this boy has done remarkably well at the examination, his age should not be allowed to stand in the way of his promotion." This timely interference of the Principal had its desired effect and Dwarka Nath got the lift which he so richly deserved.

Wonderful as Dwarka Nath's memory was, he was nevertheless dead against what is so aptly called the cramming system. If he came across any brilliant passage in the course of his reading, he would be foremost in treasuring it up in his memory ; but in matters in which it is not necessary to tie one's self down to a particular mode of expression and in which there is ample scope for improvement, he would be the last person to get by heart the words of the book, but would elect to express himself in his own way. Some teachers, however, are so very conservative in their *modus operandi* that they would have their pupils learn the very words in which a certain thing is expressed

in a book. Dwarka Nath did not at all approve of this grandmotherly mode of teaching, and it was, therefore, not surprising that he sometimes lay himself open to the charge of impertinence by deliberately departing from it. When a lad of fourteen he was one day called upon by his teacher to prove a certain proposition of Euclid. In enunciating the proposition he used language which did not exactly tally with the words of the book, but the old teacher, in his zeal to enforce the mode which he had all along adopted, would have the exact words of the book. Accordingly, he in sheer disgust vociferated, "Now, now, now, those are not the words of the book." Dwarka Nath was awfully vexed with this unseemly conduct on the part of his teacher, and in a fit of youthful passion for which there was very good cause, exclaimed, "Am I, sir, to learn *by rote* the very words of the book? (laying strong emphatic stress upon the words *by rote*) If that is so, I do not wish to prove the proposition." With these words he flung on the floor the piece of chalk he had taken for drawing the diagram, and walked out of the class room with a steady and defiant step, much to the wonder and amazement of the old pedagogue. The latter with all his crotchets was a good soul and also possessed intelligence enough to see that the dauntless urchin was much above the ordinary run of boys. He readily sent for him and when he was come, explained to him what a bad example he had set to his fellow by setting at naught the rules of school discipline. At this little reprimand was conveyed in soft and touching language, the heart of the young delinquent was moved and he forgetting all his former angry feelings acknowledged his fault and asked forgiveness for what he had done on the spur of the moment.

As I have already stated, Dwarka Nath was very fond of mathematics, and this passionate love was so much ingrained in his nature that it lasted with his life. Even while he was busily engaged at the Bar or on the Bench he made time to indulge in his favourite pursuits. At college he was the pet of the mathematical professor, Mr R. Thwaytes, and the latter who was himself a noted mathematician was so much struck with his uncommon proficiency that he used to remark, "You are the only native I have known, who has originality." Dwarka Nath's knowledge of English also was equally praiseworthy and it was, therefore, natural that he should have won the affection and regard of the Principal, Mr. Kerr, who was an accomplished writer and a deep-read scholar. Essay-writing formed the principal part of the college exercises of those days; and his performances of this kind in which Dwarka Nath excelled, generally extorted praise from the Principal who really wondered at the marvellous command which the young Hindu boy had acquired over a language which was quite foreign to him. On one occasion Mr. Kerr was so highly pleased with a literary feat of his that he did not hesitate to remark, "Young man, I am really charmed with your production. As for your English it would certainly put to the blush many an accomplished European."

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## CHAPTER IV.

### THE STUDY OF LAW AND THE COMMITTEE EXAMINATION.

The death of his father proved a severe blow to Dwarka Nath. While the old *pater familias* was alive, he could well stand aloof from all worldly affairs; but now that he was dead and gone, leaving him as the



sole head of the family, he was called upon to provide for its wants and necessities. Hara Chandra, charitably disposed as he was, could not leave any property worthy of the name for his descendants to enjoy. Indeed, his limited income only enabled him to provide for the day that was passing over him. Though belonging to the disreputable class of pettifoggers, he was far above the vices generally attendant on it; in fact, his nature was cast in a quite different mould and honesty was his guiding principle. To his mind it was better to die in poverty than acquire money by foul means. It was, therefore, not surprising that he could leave his son no other legacy than a legacy of debt. When the affairs of his family were in this pitiable posture, Dwarka Nath was in a manner compelled to seek for employ. Having heard that some clerkships had fallen vacant in the office of Colonel Ramsay, then Commissary-General, Dwarka Nath, accompanied by his friend, Purna Chandra Shome,\* paid a visit to the "City of Palaces" in order to try their fortune. On reaching Calcutta they took a carriage and drove straight to the Commissary-General's Office. They reached their destination only to meet with utter disappointment. In reply to Dwarka Nath's inquiry the porter, an upcountry swaggering fellow, with the insolent indifference characteristic of his race, said, "*Hamari hina koikam khali nehi*"—we have no vacancy in our office. The words were certainly not offensive in themselves, but the manner in which they were uttered by the unmannerly boor, so damnably altered their character that Dwarka Nath, whose nature could illbrook such impertinence in a common menial, left the place

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\* This gentleman died only lately.

in sheer disgust, saying to his friend and companion, "We shall try to enter one of the learned professions and not jostle among the crowd of applicants for employment." There and then he formed the resolution to adopt the legal profession as the vocation of his life ; and as the best means of acquiring a knowledge of law, intended to join the Presidency College where a law class had recently been opened. Before this desideratum, so keenly felt by students of law, was supplied, the then Advocate-General of the Supreme Court, Sir Edward Lyall, had at the earnest entreaty of some of the Hindu College boys given them permission to attend his lectures which he used to deliver to the civilians of the Fort William College. But the latter not consenting to hear lectures along with the black natives, Sir Edward, whose mind was full of the milk of human kindness, told the Hindu college students that if they could fix upon a proper place he would lecture them there *gratis*. Accordingly, the college theatre-room was requisitioned for the purpose. But on the death of Lyall, which took place not long after by cholera, this class was abolished. About this time agreeably to Sir Charles Wood's memorable Education Despatch regular education in law commenced to be imparted in the Presidency College. In this class Dwarka Nath got himself admitted. So did Mahendra Lal Shome, his rival, while both of them were prosecuting their studies, the one at Hooghly and the other at Calcutta. The students who had attended Sir E. Lyall's class were allowed grace for one year. This favour was also shown to Mahendra Lal but it was denied to Dwarka Nath, who being unable to bear with such injustice quitted the college in disgust and indignation. Before bidding final adieu he made a point to see Mahendra

Lal in whose favour distinction had been made by the college authorities, and in half earnest and in half jest threatened him in right classical style, "Very good, we shall meet at Phillipi," meaning the bar of the Sadar Diwani Adalat, where Dwarka Nath gained his early laurels in his forensic career. Though left alone and without a guide, Dwarka Nath who knew well the value of self-help, applied himself to his legal studies with his usual ardour, diligence and earnestness, and made considerable progress in them. But the all but deplorable state in which his family affairs then lay proved a serious obstacle to the easy prosecution of his studies. In fact, he knew not how to breast the blows of fortune and war against a sea of circumstances in order to make the two ends meet. While he was thus beset with difficulties, Mr. James Sutcliffe, the Principal of the Presidency College, who had denied him the favour which was shown to his rival, Mahendra Lal, as if to make amends for his past injustice, came to his rescue and did him a good turn. Babu Kissor Chand Mitter, then Junior Magistrate of the Calcutt Police, having written to him to select a meritorious student of the college for clerkship on Rs. 12 a month, then vacant in his office, Mr. Sutcliffe, who knew Dwarka Nath's worth and also the sad state of his affairs at the time, recommended him for the post and his recommendation,\* it is needless to say was duly carried out. Dwarka Nath had made it his mind not to serve Government in any capacity whatsoever, but stern necessity which has no law of its own nor obeys any, compelled him to chan-

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\* The offer was first made to Mahendra Lal, but he having declined to serve under a native, Dwarka Nath was recommended.

his resolve and accept service ; which acceptance, however, was not absolute and unconditional, inasmuch as to it was tacked on the firm resolution to throw up the appointment the moment the law examination was passed ; but fortunately or unfortunately for him, for we do not know exactly which to say, Dwarka Nath had not to wait so long. Before a few months elapsed he found that he could not continue in the post without compromising his self-respect. Rumour has it that he could not pull well with his master and had to throw up his appointment in utter disgust. But whatever the cause, the young aspirant, whose ambition was to rise high in the world, made his *congé* to service and retired to his native village in order to betake himself to agriculture, the stock business of the commonalty of Bengal. But here, too, he could not find that peace of mind which he so earnestly longed for. The conservatism of the rude villagers had no interest for his intelligent mind, and no wonder that he avoided their company to seek sweet exquisite pleasure in the society of "the mighty minds of old." This time he took to studying some of the best English poets, more especially Shakespeare, who was his special favourite. He read almost all the plays of that prince of dramatists, and read them with all the care and attention they so richly deserve. Indeed, his reading was in the Baconian sense of the term, and he did not leave a play until he had fully digested its contents and considered it in all its bearings. Dwarka Nath was certainly a voracious reader, but he was not an equally voracious writer. However, this much one cannot deny that what little he wrote was well worthy of him and never failed to extort praise even from those who were chary of it. About the time we are speaking

of, he wrote among a few others a critique on one of the most popular plays of Shakespeare and the production is so very creditable and displays such a wonderful mastery of the writings of the myriad-minded monarch of the poetical region that we cannot resist the temptation of reproducing it *in extenso* in this short memoir. The critique which we refer to is on that masterly display of the sweetest and tenderest of passions, namely, Romeo and Juliet, a play which has given utmost pleasure to many a refined and learned soul. Limited as the space at our command is, we wish we could rest satisfied with giving only a few extracts from it, but it is such "a thing of beauty and a joy for ever" that any attempt at showing it in fragments would considerably detract from its merit. We accordingly present the whole thing before our readers leaving them to judge whether our estimate of its excellence is correct or not. It runs as follows :—

" Romeo and Juliet is the only play of Shakespeare in which the whole plot is made to rest on the passion of love, a passion which is represented here in its truly dramatic aspect, and in such a light as to enchain irresistibly the sympathies of all. In the way in which love is generally treated on the English stage, it is felt to be an impertinent and tedious interference with the real business of the piece. When it is represented merely as one of many other passions holding divided empire with jealousy, with envy, with pride, with hatred, contending with duties, with prejudices, yielding to views of selfishness, or the rules of society, it may be decorous, but it is not dramatic. But in a different light has the passion been represented here by Shakespeare. Here, indeed, is to be found that Eros, which haunts the dreams of youth, which lives in the memory, and casts

back a sunshine even on the twilight of age : not a passion of this noisy world, but a celestial sentiment ; mysterious, immortal, born of the Deity, returning into His bosom. Where its spark lights, it is extinguishable ; where its essence penetrates, it indelibly colours with its golden hue the whole fountain of existence. All duties yield to it, for it is itself the highest of all ; all evil passions disappear before it, for they cannot co-exist with its presence ; it cannot hesitate or doubt, for a divine revelation has announced its destiny ; all prejudices of rank and society, all rules of custom, are abrogated by the dictates of its higher law ; it is open and undisguised, it is not clamorous but calm, and yet assured, for it confides in its own energies, and its heavenly though invisible source. One and indivisible, it is never at war with itself nor distracts us with a conflict of feelings. We foresee its course from the first, and follow it to the last with clear and unbroken sympathies. It no longer appears as a mere disturbing force, crossing the path of other duties, and jostling them in their courses, but a calm celestial luminary which in its irresistible round, draws all minor objects within its orbit, and round which they are contented thenceforward to perform their humbler revolutions.

“In this point of view, love is not only dramatic, but perhaps the most dramatic, the most fascinating of all exhibitions of passion. For it is the only one in which purity can be combined with perfect power ; in which the whole diapason of the human heart may be run without touching one jarring note of evil. Our sympathy with Macbeth is the sympathy of fear,—arising from the consciousness of a common nature, and the inward feeling, of how easily in the best of hearts the slumbering demon may by circumstances be called into action ; it is

imperfect, it is in a manner extorted. But our sympathy with Romeo and Juliet,—with beings who live not in themselves, but in each other, to whom selfishness, pride, ambition, envy, are unknown, who have made for themselves an Eden on earth, and hedged and girt it about in the hope that nothing evil would enter its calm precincts,—this sympathy is cordial and perfect ; it is the sympathy produced by love and admiration, and the boding sense of common evil, made more affecting and impressive by the very unconsciousness and thoughtless happiness of those who are so soon to be its victims. Nothing can be conceived more deeply interesting than the position of two beings so situated, to whom love has become a religion and whose whole thoughts and actions are thus necessitated, as it were, by a power so essentially inconsistent with those forces that regulate the ordinary course of human affairs. The collision with the world, with the warring passions of rivals, with family pride and ‘lodged hate,’ with all the accidents of an ill-starred destiny, is here inevitable : and everyone but themselves perceives that the result must be a hapless one ; they alone have no thought and fear, while we are dropping ‘some natural tears’ at the thought how soon they shall be driven from their ideal paradise,

where ‘they, hand in hand,’ are wandering through its  
flowery walks and repeating,  
‘ Good night, good night, parting is such sweet sorrow,  
That I could say, good night, till it be morrow,’

“ The world is all before them, bright and smiling. They cannot conceive that external circumstances should resist the omnipotence of that feeling which, in their own hearts, has effected so sudden and mysterious a revolution ; has banished the prejudices of feudal enmity has overcome the bashfulness of womanhood ; has bound

up their existence into one and forever. Love, which has wrought such miracles within may yet change even the hard hearts of kindred and fathers, and heal up the old wounds which pride and violence had inflicted. They see Verona, long agitated by the quarrels of their Houses, once more united in imagination and Montague and Capulet joining their hands above their bridal bed which are only to be united above their grave.

“This perfect self-abandonment, this union of wild fervour with extreme youth, the passions of the woman with the purity of the girl, can be conceived as existing only in beings of a southern clime. Hence the solicitude apparently with which Shakespeare has laboured by all the accompaniments of the scene to impress upon us continually its Italian character. Juliet is pure and innocent, but she is already in mind and body a woman—an Italian or a Hindustani; her heart demands an object; her feelings ‘deep and boundless as the sea,’ a reservoir into which they can overflow. So also with Romeo. His fantastic love for the naughty Rosaline, which was simply a boyish dream, excites no idea of inconstancy of character; it only shows the early development of a temperament of fire, and affords a standard by which to estimate the strength of the new passion of the heart which extinguishes at once the old vision of the fancy. Everything about Romeo from the commencement announces him to be the victim of love. His first attachment, fantastical and superficial as it seems, has yet preserved the freshness of his character. His heart has not lost one iota of its first bloom. Amidst the wild mirth and loose gaiety which surrounds him, he is melancholy. He has no feeling in common with the reckless and somewhat libertine Mercutio, or the thoughtless and commonplace



Benvolio. Something purer and holier than Verona has yet offered to him hovers before his thoughts and fills his heart with a nameless longing. Thus alike in youth, in purity of sentiment, in depth of feeling, and in confidence in the world, these two beings are thrown together. The accidental nature of the meeting, and the instantaneous electric communication of their feelings, are in perfect harmony with the celestial inexplicable source to which Shakespeare has traced the origin of love. They seem to feel by a mystic free-masonry that each is to be the other's destiny; that they are parts of one whole hitherto separated, henceforth to be inseparable on this side of time.

'And like two solitary rills, that side by side,  
And had been long parted, they meet at once!'

"In this instantaneous union there is no giddiness, no levity. It is not the hasty, transitory preference of a boy and girl for each other, it is marked by seriousness and solemnity. Juliet feels from the first scene that hers is fixed—that if he married 'her grave is like to be her marriage bed' Even in her interview with Romeo on the balcony amidst all the excitement of a first fond confession of attachment—amidst all the visions with which hope and passion gild the future, the thought creeps in how awful and irrevocable is the step she has taken.

'Although I joy in thee,  
I have no joy of this contract to-night;  
It is too rash, too unadvised, too sudden;  
Too like the lightning, which doth cease to be  
Ere one can say—It lightens.'

"Her whole conduct subsequently is the result of this sense of the earnestness of her situation. She cannot trifle with her lover, for the sentiment she experiences

is too holy to be tampered with ; she is open and undisguised, because she feels that love cannot mistake the language of innocence ; she urges forward the nuptials because she would place their union, if possible, beyond the reach of fate and invest it with an additional character of sacredness and solemnity.

“ Yet Romeo and Juliet are anything but mere abstractions, mere beings of sentiment and imagination. The perfection of these characters lies in the art with which the human and divine elements are blended in them in the harmonious union of the senses with the soul. Plato would have portrayed such characters otherwise ; but such delineation would be too ethereal, too refined for the purposes of dramatic interest, to awaken our sympathies. Something more passionate, but partaking of the ordinary leaven of humanity, is required ; for Platonism is no basis on which the interest of a drama can rest. All the fire which can be united with innocence of heart—all the elements, physical and moral, which make up the mysterious compound, love—‘ all thoughts, all visions, all delights, whatever stirs this mortal frame,’ must be employed, if our feelings are to be heightened into sympathy and our pity into tears.

“ Thus Shakespeare treated these characters. He will admit of no separation of love into the spiritual and sensual save in a comic point of view, by ridiculing the affections of a mere animal passion. In all his pictures of real love both elements are united, the soul and the senses take their part, and the *whole being* loves—for only the whole being can love truly. Thus it is that this romance of youth lays so firm a hold on the universal sympathies of mankind ; that unlike all other lovers, Romeo and Juliet are never tiresome—that though they love, and love intensely, they are never love-sick ;

that they recall to every man, in a sublimated and concentrated form, all the early longings of the soul, the hopes and fears, the heartfelt joy, the scarcely less sweet sorrows of the parting "

Dwarka Nath with all his love for rustic life was not a rustic at heart. He had high towering ambition and was fired with the noble desire of making a name in the world. This being so, it was not surprising that in a few short months he got tired of the dull monotony of village life and returned to Calcutta with a view to resuming his law studies with redoubled vigour and attention. As I have already observed, his reading of polite literature had a striking peculiarity in it, namely, that if a writing was really good and interesting he did not leave it till he had considered it in all its bearings and made it, so to say, his own. The same spirit actuated him in his study of law. He was not satisfied with merely getting by heart a subject, he entered into the very core of the thing as it were, and along with the details thoroughly grasped and mastered the principles. Indeed, he could not rest content with merely learning a law, but would get at the reason of it ; and in this way his mind was so trained it was no wonder that he peered far above most of his contemporaries, who like him were prosecuting their law studies. Being thus well equipped it was only natural that he should have acquitted himself remarkably well at the Committee Examination which was held at the Town Hall in January, 1856. The examination was anything but easy, nay, it was unusually stiff and the editor of the *Probhakar* only gave utterance to a true stubborn fact when he in his usual humorous way observed that looking at the questions set, "most of the candidates had no alternative but to look up to

the ceiling and count the beams." Even at such a hard and difficult examination Dwarka Nath's success was simply wonderful. All the examiners were quite pleased with the answers recorded by him, and one of them was so far carried away by admiration that he could not help gratifying his eyes with the sight of such a wonderfully clever young man. By this success Dwarka Nath was a gainer by one year over his rival Mahendra Lal, who, though granted the permission which was refused to him, could not get his diploma until the year following. Thus, what was deemed at the time a mark of disfavour turned out to be an advantage to Dwarka Nath. The examination at which our hero achieved such signal success had this painful significance attached to it—that it was the last of the kind held under the old system. Since then, the Committee Examination has become a matter of history, pure and simple.

SHUMBHOO CHUNDER DEV.

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## Art. IV.—TWO DISTINGUISHED SANSKRIT SCHOLARS OF COCHIN.

### I.

YEAR after year, in the New Year or Birthday Honours list, are found the names of many Indians who are honoured by Our Imperial Sovereign or His Majesty's accredited Representative in India, with titles in recognition of their distinguished merit or valuable and faithful services to the State. The salient features in the lives of many of these personages are well known to the public, as also the reasons why they are specially marked out for distinction. In regard to a few, however, very little is known to the world outside their native land, either because modesty conceals their worth or because their sphere of work as such does not attract general notice. "The greatest minds are often those of whom the noisy world hears least," says the Poet. This cannot, perhaps, be said with greater truth than in the case of two men whose names have this year been added to the list of Birthday Honours, *viz.*, Brahmasri Killimangalath Naduvath Narayanan Nambudiripad Avergal and M. R. Ry. Valia Godavarman Raja Avergal of the Cranganur Chiefs family, on both of whom have been bestowed the title of Mahamahopadhyaya for their proficiency in certain important branches of Sanskrit Literature. With these few prefatory remarks, we shall now endeavour to give a brief sketch of their lives and show how they have deserved the honour which, unsought, has come to them.

Brahmasri Killimangalath Naduvath Narayanan Nambudiripad, the subject of this sketch, was born in Meenom 1030 M.E. (1854 A.D.). He belongs to a distinguished Brahman family in the Cochin State. At the time of his birth, his father, who was 47 years of age then, had himself attained some distinction in the field of Sanskrit Literature. A strong impulse had at this time been given to the study of Sanskrit Grammar by the introduction into Malabar of *Sabdendusekhara*, a monumental work on the subject. Our Mahamahopadhyaya's father was one of the earliest students to receive instruction at the hands of that great teacher of Grammar, locally known as Vyakaranacharyar, who was then residing in Trichur as a Judge of the Zillah Court there, and the Nambudiripad soon acquired some proficiency in this, his special study. Thus, the son inherited the special bent of genius in some degree from his father, who appears to have taken more than a parental interest in the education of the boy. Here it may be well to give a brief account of the traditional system of education honoured by time and enjoined by custom and usage.

Among high caste Hindus, a lad has to be initiated into the rudiments of letters at the age of five. After picking up the alphabet, a pupil goes through the studies of some religious texts. He is then drilled in *Amṛakosa* and given a good grounding in *Sidharupa* and *Balaprabodha*. The purpose of this training is to give the pupils some general acquaintance with Sanskrit endings and inflections as well as to exercise their minds in memory training preparatory to the study of that highly complicated and inflected language. The meaning of these lessons is hardly understood until a later period. This method of teaching, whatever its defects

may be, has the decided advantage of familiarising the young minds with the form and structure of the language. The regular lessons in Sanskrit commence with the study of some minor *Kavyams*, or narrative poems. This course of education is considered as an indispensable factor in the culture of young minds, and it accounts in some measure for the general acquaintance with Sanskrit Literature found more or less among all caste Hindus in Malabar. All but the painstaking and intelligent pupils stop after one or two *Kavyams*. Those, however, that take to a serious study of the language, seek the aid of some eminent scholars and apprentice themselves, as it were, under them with the object of acquiring proficiency in some one branch such as Grammar, Philosophy, Logic, Medicine, &c., and they duly emulate in their turn the educational zeal and application of their *Gurus*. With the growth and progress of English education in the land, this traditional system of culture has, however, all but ceased to exist. In the early scholastic days of our Mahamahopadhyaya, teachers and scholars of a very high order of merit were not rare, and, as we shall presently see, the educational influences which have helped to stimulate his thirst for knowledge were somewhat exceptional.

Reference has already been made to the scholarly attainments of his father. Under his supervision the earlier lessons were vigorously pushed on, his first *Guru* being Mr. I. Sangu Warriar, the uncle of Mr. Kunjan Warriar, the Senior Malayalam Pandit of the Ernakulam College. His religious education, which was commenced at the age of eight, went hand in hand with the secular studies and was completed when he was 14 years of age, in token whereof the *Samavarthanam* ceremony was duly performed. The completion of Vedic studies

left him free to follow the bent of his genius. The elementary knowledge of Sanskrit attained by his study of minor *Kavyams* had created a subtle charm over his mind: and inspired by a passionate desire for knowledge, he now left home and went to "Koodallore Mana." This again is another Nambudiri family in British Malabar. The members of this "Mana" have for several generations past counted among them some of the most celebrated Sanskrit scholars in all Malabar and some of them are to this day engaged in tutorial work in the various branches of their learning. Those who desire to study Shastras generally resort to that "Mana" and are welcomed with open arms and fed, clothed and taught gratis. Young men therefore congregate there from all parts of Malabar, and according to their attainments and abilities, they are divided into various batches or classes, and instruction is imparted to them in the several branches of Sanskrit Literature. The ancient ideal of *Gurukulavasam* was and is still realised in that "Mana." Our hero enrolled himself at first as a disciple of Vasudevan Nambudiripad, under whom he learned a chapter of *Naishadham*. But Grammar was the subject he chose for his special study and he betook himself to it at the earliest opportunity. *Koumady*, *Manorama*, and part of *Paribhashvendusekharam* were gone through one after another and completed under the guidance and inspiration of his tutors Kunju Nambudiripad, Kavu Nambudiripad and Kunji Kavu Nambudiripad, all members of the Koodallore Mana and eminent scholars of local distinction. Within a few years our hero obtained such proficiency in his special subject that before he left Koodallore he was honoured with the meed of acknowledged scholarship by being made the recipient of a *Thanam* at Thali in Calicut, instituted



under the auspices of the Zamorin. After this he went to Trichur to complete his study of *Paribhash-vendusekharam* under the great Kunjunni Nambudiripad of Koodallore, who was then a resident teacher in the Brahmaswon Madhom (a boarding Nambudiri College in Trichur, endowed for Vedic and Shastraic studies). Two years were next spent at Trichur in the study of *Sabendusekharam*, and with its completion he became a recognised master of Sanskrit Grammar. He then turned his attention for a time to Logic. Not content "that his former worth should stand fast," he devoted his time and energy again to the study of Grammar and took to *Vyakarana Bhashyam*, which he prosecuted with extraordinary zeal and tenacity. Endowed with the highest gifts, he never slackened his efforts, but has ever been persevering and going forward from well to better, daily self-surpassed. No thoughts of tender happiness nor the mild concerns of ordinary life could then lure him from his Grandhas. The honour of being consecrated as *Vyakarana Bhattathiri* of the famous *Chovannore Sabha Madhom* was his soon after the completion of *Vyakarana Bhashyam*. Chovannore is a small village about three miles to the east of Kunnamkulam in the Cochin State. It is a quiet and secluded hamlet and is thus happily situated for the pursuit of serious study and contemplation. Here there is an endowed Mutt, where Sanskrit education is given gratis to those Brahman youths who seek it. This ancient institution, which had fallen into a neglected condition, was revived in 1025 M.E., under the influence of a member of the Koodallore Mana, encouraged by the patronage of the Kottakkal Zamorin and the good offices of Diwan Sankara Warriar. The landed properties of the Mutt were

traced out and placed under a regular system of management. The Zamorin also undertook to supplement the income by an annual contribution of Rs. 300. The teachers are appointed under a Theetturam or Royal writ, issued by the Raja of Cochin. Six teachers are consecrated at a time, whose business it is to impart instruction in the six Shastras. For about 30 years the institution continued to be well managed and attended, when, owing to some disputes in the matter of consecration, the Zamorin withdrew his grant. About 1053 M.E. or so, the Cochin Sirkar interfered and again placed its affairs on a more satisfactory footing. The Mutt now possesses properties yielding an annual income of about Rs. 2,000, which is devoted wholly for the benefit of the teachers and pupils of the institution. The Senior Pandit manages its affairs and has to submit an annual account to His Highness the Raja of Cochin for the receipts and expenditure of the Mutt.

Sanskrit Literature proper has always had a subtle attraction for our Mahamahopadhyaya, and he has all along been reading for his instruction and delight works of standard authors that had struck his early fancy and awakened his powers. With his profound knowledge of Sanskrit Grammar and his general acquaintance with its literature and logic, he duly began to delve the mines of metaphysics and took to the study of the Great Sankara's *Sreemat-Pashyan*, which he completed in two years under the tutorship of the said Koodallore Kunjunni Nambudiripad. Along with these studies he was also devoting his attention to master the principles of *Dharma Shastras*, on the sacerdotal authorities and dogmas of which rests the complex structure of Hindu Society in all its stages. The death of his dear father's elder brother caused a break in his studies for a time.

A youth of not more than 26, a recognised scholar of Sanskrit Grammar, with a fair grasp of Logic and Philosophy, he now discontinued what may be termed his scholastic studies and set himself up at Trichur as a teacher of Sanskrit Grammar in the service of the Cochin Government. Before leaving this part of the subject, we have to refer to the names of some of his classmates or associates in studies, whose reputation for scholarship in their respective branches of studies is second only to his. The most notable of these fellow students whose association he appreciated were Moothiringood, Nellikattu Mamunnu and Orapulasseri Namburipad. Among his teachers and preceptors, the most celebrated and accomplished were the erudite scholars of Koodallore Mana already referred to, especially Kunjunni Namburipad, whose fame for scholarship will be indelibly remembered along with that of his renowned pupil who, if he has excelled his guru in the sphere of Grammar, has not yet attained the level which his preceptor occupied in the realm of Dharma Shastras, as well as in the unique versatility of his genius. He lived at Trichur for about five years and went afterwards to the Sabha Madam, where he has been living, engaged in his noble work of teaching or engrossed in the Vedic and Shastraic studies. A young generation of scholars has been rising up in the illustrious group of our Mahamahopadhyaya's pupils, among whom may be mentioned his own brother, Parathipporam Thekkeppad, Mundaya Nambudri Naduvulkad, Chinnakutti Swamiar, Poonjathil Raja, Vaisravana and Krishnatt Narayana Mangalam.

Only those who are familiar with Sanskrit can appreciate the true value and significance of proficiency in its Grammar. No single grammatical rule is

comprehensible by itself uninterpreted by commentaries. It is necessary to emphasise the fact that Panini has written for the educated and developed and not for the uninitiated or beginners. His condensed Sūtras conceal principles comprehensible only to the cleverest students, and the attempt at explanation would put their thinking faculties to the severest test. In its broader significance, Sanskrit Grammar represents almost the entire range of Sanskrit Literature and occupies itself *concentratively* with the interests of a true interpretation of that literature, the spiritual as well as its secular side. It will be seen, therefore, that the solutions of grammatical problems are enough both to make and to tax the cleverest genius. These remarks are certainly not intended for those who already know enough to be able to appreciate the intrinsic importance of the learning in this subject, but for the information of those who, through various causes, may not have an intelligent knowledge of the subject in its wide and complicated range. No wonder therefore that institutions are maintained in the courts of ancient ruling families for the express object of encouraging such studies.

We have already referred to the recognition of our scholar's talents at Calicut. During the reign of the late Maharaja of Travancore Visakum Thirunal, he visited Trevandrum and was honoured with *Uthama Sambhavana* (first money award) and *Veera Srimkala* (a substantial royal reward awarded only in recognition of distinguished merit or services to the State). On another occasion, during the *Thulabharom* ceremony of the same Maharaja, he happened to display his knowledge in the presence of the renowned Sundara Shastri and others of that Court. The Raja was so

pleased with the intellectual legerdemain performed by the young man that he gave him rich presents as a mark of his esteem and favour.

In connection with this visit there is an interesting anecdote told which is well worth mentioning. All the aspirants for distinction assembled in a room and were questioning and cross-questioning one another in order to ascertain their respective merits and drawbacks. Our friend happening to be one of the number, was questioned in his turn on a point of Grammar. In answer he was giving an exposition of the subject in such a lucid and convincing manner that the Raja who was approaching the room from without, halted in the verandah and listened to the exposition in delightful excitement. At the close of the argument the Raja entered the room and agreeably astonished the audience by telling them that he had never before listened to a more edifying discourse on the subject. His Highness the Maharaja then desired our Professor to expound some philosophical subject, and he did so to the immense satisfaction of all.

It was in the year 1063 M.E. (1887 A D ) that he first appeared before His Highness the Raja of Cochin in an assembly of learned men. Almost immediately his genius was recognised. His fame among competent critics with a right to judge has ever been rising higher and higher without being in any degree eclipsed to this day, so that the tribute of honour justly due to the first scholar in the State has been his ever since. At the time of his first visit, His Highness the present Raja was the heir apparent. The attraction of common literary sympathies was not to be withstood. How great an event in our scholar's life was his first meeting with His Highness is best described, as it is eloquently

testified to, by the Proceedings of the Darbar conferring on him the highest meed of scholarship at the hands of the highest authority in a world-wide Empire. Since 1063 M.E. he has been regularly attending the meetings and discussions of Pandits in His Highness' Palace, chiefly with a view to test the attainments of prize seekers. A month previous to His Highness' birthday is the season during which the spirit of classic antiquity reigns in the Palace and our scholar may be seen at his best in the company of the learned men who congregate there from all parts of Southern India. Advancing age has not yet begun to dull the penetration of his mind, which still approaches the sphere of knowledge with the ardent thirst of youth, but with the discrimination grown of experience.

Last year he visited Kaladi and there also he received *Uthama Sambhavana* (highest money award) at the hands of the Great Jagath Guru Sri Sankara Acharya Swamigal. His Highness the Raja was also present on the occasion, keenly enjoying the learned contests of scholars there from all parts of India.

Having given a detailed account of his scholarship and distinguished professional career, we may now venture upon a sketch of his character and personal appearance. Those who have had the privilege of intimate association with him, declare that the outstanding traits of his character are modesty and reserve. His physical presence and demeanour are far from striking to strangers at first sight. To the ordinary man of the world, he looks an antique figure clothed in a dull, silly garb, with an air often taciturn, but never discourteous. Absorbed in his own thoughts, he never takes pains to make his personal appearance impressive or attractive and takes to nothing that has

an ostentatious look. His face bears marks of close and peaceful meditation, with a look that is not bland or benevolent, so much as impregnable, hard and composed, characteristic, perhaps, of a true fighter in his own special field. To those who have realised the force of his intellect and character, his genius would seem to shine transparent in his face, while no one can fail to be struck by the quiet clearness of his merry twinkling eyes, which will be felt to be actually enlightening his discourse or adding emphasis to his arguments, when he is called upon to do battle with learned disputants in the sphere of Grammar or Philosophy. Sedately confident in his demeanour, his speeches are characterised by an ease, brevity and force, all his own, while his delivery is fresh, distinct and sonorous. Heavy as his weight of learning is, he has seasons of smooth discourse and joyous thoughts, and in the company of select friends—sympathetic and intelligent—he is glad to unlock himself, though in a mixed assembly he generally prefers to keep himself in the background. An elaborate and masterly work on Sanskrit Grammar, *Arthavalsutra Sathakoti* has been completed, and is being got ready for the press, which, when published, will give the world some glimpse of his splendid genius and hand down to posterity his name as well as the fruits of his unrivalled learning and scholarship.

K. S M.

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## ACKNOWLEDGMENTS.

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*April 1911.*

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*No man who hath tested learning but will confess the many ways of profiting by those who, not contained with stale receipts, are able to manage and set forth new positions to the world; and were they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.*

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*No. 264.—APRIL 1911.*

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## Art. I.—UDHUA NULLA.

### A FORGOTTEN BATTLEFIELD.

IT is startling to contemplate the cloud of oblivion that appears to have descended to-day upon the incident of the Udhua Nulla (August 1763). The battle, or rather the storming of Udhua Nulla, a rocky pass deriving its name from a small stream that takes its rise in the Rajmehal Hills, stands, in point of decisiveness and true historic importance, among the battles of Bengal second to Plassey alone. Had the English been defeated here, says Malleson, the labours of Clive would have been rendered fruitless, the result of Plassey would have been undone. Here it was that the British finally broke the power of the level-headed and pitiless Nawab Mir Kasim, and the account of the event as we find it in Malleson's "Decisive Battles of India," Broome's "History of the Bengal Army" and the Seir Mutagherin, is an undeniable record of consummate generalship and conspicuous bravery. When it is asserted that the Battle of Udhua Nulla "was one of the most daring, one of the most glorious and most successful feats of arms ever achieved," a feat in which an army of five thousand containing less than one thousand Europeans carried a position of enormous strength, defeating forty thousand, destroying

fifteen thousand, and capturing a hundred cannon—when this is coolly asserted by more than one acknowledged authority—it is hard to believe that Major Adams sleeps in a nameless grave and that Udhua Nulla is practically unknown.

The village of Udhua lies about seven miles south of Rajmehal at a point where the Nulla meets the Ganges. A spur of the Rajmehal chain running south forms with the river a natural pass that affords peculiar facilities for military operations of a defensive nature.

The battlefield, which is the property of Mr. J. H. Atkinson, is not wanting in interest. An infinitely lonely, undulating stretch of rocky ground, studded here and there with huge trees and the remains of the fortifications, by moonlight it presents a spectacle that appeals decidedly to the romantic. To the west are the long low hills of the Rajmehal chain, and eastward the broad sweep of the Ganges, while at the northern and southern extremities of the pass are situated the respective villages of Udhua and Foordkipur, or Poolkipur to give its ancient name.

Among the relics of the Battle the most interesting perhaps is a portion of the intrenchment which still exists in a state of fair preservation. According to the Seir Mutagherin, Mir Kassim had towers erected at regular intervals which gave to the whole the appearance of a castle. Of these, however, no trace is to be found. What remains is a low mound of earth and stones, overgrown with grass and trees, broad at the summit and suggestive of great strength. Another relic consists of two arches of an old stone bridge which is believed to be the one the Nawab caused to be built across the Nulla. To-day it stands on an arm of the river, but it is not improbable that the Nulla

and the Ganges should have considerably changed in their courses since the date of its erection. The arches are steep, and the fact that one has dislodged itself down the bank without crumbling to pieces testifies to the strength of the structure. Another interesting point connected with the site is the tradition of buried treasure concealed under a very ancient tree. A mound of blackened and partially blasted earth and masonry adjacent to the roots bears eloquent testimony to the labours of bygone trove-hunters—but the treasure is still supposed to be there. Trove of a far different kind was brought to light by Mr. Atkinson some years ago, when he discovered a large heap of human bones concealed in a mound in the grounds of his house. A cannon and balls in his possession were found on the field.

The campaign which resulted from the protracted wrangles between Mir Kassim and the Council at Calcutta precipitated one of the gravest situations in the history of British rule in Bengal, a situation which, according to Malleson and Broome, would have resulted, but for the genius of one man, in the total subversion of the authority of the East India Company in Bengal. That man was Major Adams. With a small and badly equipped force, consisting mostly of sepoy, he succeeded in totally crushing a huge, well armed, well trained, and well officered army in a campaign consisting of some of the most brilliantly managed battles recorded in Indian history.

Beaten by Adams at Cutwa and Gheria, the Nawab's forces were compelled to retreat on Udhua Nulla, which Mir Kassim had previously caused to be strongly fortified. Here they were joined by large reinforcements from Monghyr. The situation that Adams and

his forces were thus called on to meet, difficult as their previous achievements had been. was by far the most critical of all. Across the road that led to Rajmehal, Monghyr and Patna stretched the massive and well mounted intrenchments of Udhua and behind them were drawn up the army of the Nawab—infantry that alone far outnumbered the British Army, artillery under the command of the Armenians, Aratoon and Marcar, and a large body of cavalry held as reserve; the whole trained on the European model and well provided to stand a long siege. To the north of the position the road to Rajmehal crossed a stone bridge over the Nulla, which appears in those days to have been a deep and swiftly flowing torrent.

Nine days after the beaten army joined the reinforcements behind the ramparts of Udhua, Major Adams took up his position at Poolkipur, four miles to the south. Here his little army was joined by four men who had succeeded in effecting an adventurous escape from Mir Cassim's clutches. Contemplating the barbarous butchery of Patna which he intended to carry out in the event of defeat, the Nawab of Bengal had commanded the Nawab of Purneah to send him four European sergeants whom he had previously consigned to the latter's charge. The men were sent by boat, but succeeded, during the voyage, in overpowering the crew and effecting a safe landing at the point where the British were stationed. It is interesting to note that the names of three have been preserved—Peter Davis, Douglas and Speedy. Davis ultimately obtained a commission and died a captain. The English guns few in number were utterly inadequate, and though Adams with masterly skill constructed three batteries a few hundred yards from the enemy's lines, he failed to make the slightest impression on the massive

intrenchments. In this state of affairs an odd occurrence placed the British in possession of information that brought with it the means of success. A European soldier who had deserted to Mir Cassim, crept back to the British lines one night calling out to the sentries that he had discovered a valuable secret which he would divulge on condition of pardon. The men recognised his voice and took him into camp. Between the two armies lay a seemingly impassable morass and the information the deserter had brought referred to a secret ford that connected the British lines with a fortified hill to the extreme right of the enemy's position. Preparations for an attack were immediately made and in the early hours of the following morning, a storming party consisting of Europeans and sepoys under Captain Irving set out through the ford. The remainder of the forces were divided into three bodies. One under the command of Captain Moran was to advance along the road (which) at this point ran through a strip of dry ground between the river and the morass, with the object of diverting the enemy's attention by a false attack which was if necessary to be turned into a real one. Another party in charge of Major Carnac was to act as a reserve, with orders to keep ready for rapid movement to any point where its presence might seem to be necessary. The small force remaining was to guard the camp.

The manœuvre was entirely successful. Irving's men carrying their muskets and pouches on their heads, gained the ramparts, put the sleeping sentries to the bayonet and rushed the hill. Before they reached the stockade at the summit, the alarm was given, but the enemy were too confused to make anything of a stand against the impetuous onslaught, and the position was

carried in the space of a few minutes. Meanwhile Moran who was already playing at an attack on the extreme left of the enemy's lines, beheld a torch flare up suddenly on the hill. It was the signal for his work to begin. Precluded by a heavy fire from the advanced battery, he rushed a small breach near the river, and poured his men over the ramparts. The yells of their comrades on the hill, the flaring torch, the suddenness of the attack from the front, utterly paralysed the partially awakened senses of the Nawab's troops, and the precious moments slipped hopelessly away—moments of which the British took the fullest advantage. Feeling to their left Moran's men moved swiftly to a junction with Irving's column descending from the hill, and then swept all before them. The bluish grey dawn of the Rajmehal Hills broke slowly on a scene not of battle but of carnage. The only resistance worthy of the name was that offered by the brigades of Somroo and Marcar who were posted behind some inner intrenchments near the river; but victory decisive and horrible was inevitably with the British from the moment they scaled the ramparts. Mir Cassim had caused a large force of his best men to be posted near the bridge with orders to fire on any of the troops who should attempt to flee in the event of a British attack. The real object of this had been to overawe a few irregular brigades into fighting to the last, but as events turned out, it merely served to cut off the retreat of a huge and panic-stricken army. Attacked in one direction by the British, fired on from another by their own comrades, they took to the river and the Nulla and perished by hundreds. A few only succeeded in escaping to the hills and hiding in clefts and caverns. Thus did Adams carry the lines of the Udhua Nulla. Following up their victory, the British

advanced on Rajmehal, occupied Monghyr and soon after recovered Patna without resistance.

A word more remains to be said. The brilliant genius—for such he undoubtedly was—who conducted the campaign, died shortly after its close while preparing for a voyage to England. He sleeps to-day in a nameless grave in St. John's churchyard, and affords us one more testimony to the ingratitude of his generation.

HENRY KHUNDKAR.

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## Art. II.—TWO DISTINGUISHED SANSKRIT SCHOLARS OF COCHIN.

### II.

**T**HE subject of our next sketch is Maha Mahopadhaya, Valia Godavarma Raja Avl. As observed in the introductory page, he is a junior member of the Cranganur Chief's family, and a Kshatriya by caste. He was born in 1034 M.E. (1857 A.D.), and is thus about four years younger than his Brahman-colleague in the Honours list.

While Cranganur has a historical interest connected with the ancient and middle ages, and in later years in the wars with the Zamorin and the Mysore sultans, it has for ages been a principal seat of learning on the Malabar Coast, the real attraction being centred in the Chief's family itself. Young Godavarma had, thus, within his own doors all the conceivable facilities to obtain an education suitable to his genius. He had but to follow the foot-steps of his elders, who have been to this day ever willing workers in the cause of education. Here also, as in Koodallore, young men who take to the study of Sanskrit are fed and taught gratis. The extraordinary character of the boy's intelligence did not fail to strike them, and he grew up under their affectionate care and tuition. The influences then paramount in the palace were more in favour of Grammar than Logic, the late Krishna Sastri, the Palace Pandit having been a great grammarian. Young Godavarma was his favourite pupil. The features of national education detailed in the previous sketch apply *mutatis mutandis* to the subject of this sketch also. Godavarma Raja made such rapid strides in the study

of Grammar, as well as in Literature proper, that the mind of the budding youth was early inclined to a serious pursuit of learning and to the quiet career of a life-long student. In addition to the influences of home and domestic surroundings, the annual gathering of Pandits at Tripunithura, already referred to, afforded him opportunities for coming into contact with learned scholars, some of whom on their way to Tripunithura were occasionally drawn to Cranganur. These contacts with men of varied intellectual attainments not only confirmed his young judgment in the choice of a profession, but engendered in him the wholesome passion of emulation. Unfortunately he has been a man of very delicate health and has been subject to rheumatic attacks, which occasionally hampered his studies. His insatiable thirst for learning, however, got the better of his ailments and, at the age of 21, he repaired to Tripunithura, aspiring for the patronage and assistance of those two scholar Princes, of whom he had already had occasion to hear so much. These Princes had even then attained an eminent distinction for scholarship in Grammar and Logic and commanded the spontaneous admiration of professional Pandits. One of these Princes was the late lamented Elaya Raja, an unrivalled proficient in Logic, and the other, his elder brother, His Highness the present Raja of Cochin, who is equally at home in Logic and Grammar. The assistance that Godavarma Raja sought was his for the asking; and the two Princes readily took under their care this eager aspirant for knowledge, who has ever since been their life-long associate in culture. The young scholar, though he had completed at Cranganur an advance course of lessons in Grammar, evinced such fine taste for Logic that it did not escape

his patrons' notice. They gladly afforded him facilities to follow the natural bent of his mind and themselves taught him his early lessons in Logic. When sufficiently advanced, he was duly placed under the care of the Palace Pandit, the late Maha Maho-padhaya-Brahma Sri Shadagopa Chari, a logician of rare originality and genius and a subtle disputant in the subject. The Pandit was subsequently deputed to Cranganur to teach Godavarma Raja and other members of the Chief's family, desirous of learning Logic. Under this specialist, the advanced lessons in Logic were gone through one by one and Godavarma Raja's scholastic education came duly to a close when he was about 30 years of age. His subsequent attainments, vast as they are, were mostly self-acquired, and include the Vedanta system of Philosophy, the Dharma Sastras and other subjects bearing on the religious thought and observances of Hindus. Logic is decidedly his element which, with its well-digested principles of reasoning, has been the base of his intellectual operations all round. He, with his colleague Killimangalath Nambudiripad, is, by the way, His Highness the Raja's consulting pandit on all questions which require for their solution a knowledge of the ancient Dharma Sastras.

Gadavarma Raja is now 51 years old, and books are, as they have been, his constant friends—annotating them or adding otherwise to their number and introducing them to his students. His pupils are numerous, some of whom, having completed their projected course of studies, are employed as pandits in public or private schools.

With an intellect wonderfully retentive, he unites so much keenness of argumentation and clearness of

analysis that it is hard to find his equal. Like his colleague, he is very modest and unassuming in his behaviour, but unlike him, his career is "devoid of any striking external incidents—the essential part being incessant study and contemplation, with no mind for the sauce or garnish of life. His mind abounds in the devotional cast and the catholicity of his views and opinions is quite in tune with the genuine piety of his soul. Men of his stamp prefer to lurk dimly in shy retreats in their unsuspected paradise of peace and rusticity, intruded into only by literary friends. Yet withal, he is a practical man of strong common sense, and stands out as a fertile and original thinker.

With a nature genial, simple and humane, he perpetually pleases his friends as much by his wit and humour as by his rationalistic thoughts. One of the keenest eyed of modern scholars for all that is deep and essential in the teachings of the ancients, he will be found at his post at the Thirunal sadas, (an annual meeting of Pandits which commences a month before the anniversary of His Highness' birthday). At this assembly of learned pandits, Grammar, Logic or Vedanta Philosophy is chosen as the subject of discourse or disputation.

Logic, his speciality, with philosophy, embraces the widest range of ancient experience. Nothing concerning humanity is excluded from its scope, so much so that it scales the heights and sounds the depths of existence. The episodic application of the principle of relativity to the all-sublime conception of God is an important feature of these discussions. His function for some years past has, however, been one of judge, as also that of his Brahman colleague. The comprehensive

freedom with which the busy and fertile intelligence of "Bhattan," (for he is commonly designated by that name by his colleague and friends), rounds any subject that he approaches, has not seldom been a treat to the assembled pandits. Here it may be added that in ancient as in modern times, the title of Bhattan is conferred only on those erudite scholars with original works or commentaries on important and difficult branches of Sanskrit literature, and the subject of our sketch is called by that name, not as a mere matter of courtesy, but as a richly deserved reward for his valuable and splendid labours and researches. Among his original works now ready for the Press may be mentioned the following :—

Vyulpathivadakarika, Pramannya Vada Gadadhari Vyakhya, Upaharapra kasika Vyakhya and Datthakameemamsa Samgraham.

Mr. Godavarma Raja, like his colleague, thus bids fair to live in posterity by his works, and he has pupils too, namely, Manthetta, Cherukunnum and some others, who are, even now, no unworthy custodians of their guru's name and fame. The two heroes whose careers so far have been sketched herein are two orbs of the brightest brilliance in the region of Sanskrit scholarship. Both are Grammarians, Logicians and Philosophers. And if one has attained a rare degree of perfection and success in Grammar, the other has won for himself an equal distinction in Logic. Both the subjects exercise the rational faculty in man, and our scholars have each of them cultivated as a subsidiary study the special field of the other as well as philosophy. Rightly viewed, the two special branches of study we have been considering, are mutually helpful and reconciliatory, as they are

undoubtedly interpretative of one another. However this may be, the toilers in the two fields of culture are to-day partners in a common honour and a true literary brotherhood has thus been established.

They had not even dreamt of this great honour, and yet it has come to them. The master bias of their souls leans to home-felt pleasures and gentle scenes where, undisturbed, they might "voyage through strange seas of Thought alone." These eminent scholars, who would have been left unthought of in obscurity, are this day lifted high and have become conspicuous figures in a nation's eye. And, no doubt, true to their character, no "proud" gladness they display even for such honours, but like souls whose thoughts keep pace with the spirit of gentleness, in their own becoming way, they thank the august, unseen, author of their honours, and the visible donors of their *sanads*. Serious are their faces and modest is their mien, while the whole State is resounding with joy—rejoicing equally at the honours bestowed as at the plain presence and dignity of the recipients.

The Darbar and the functions of Thursday, the 22nd December, while they will prove an abiding incentive to scholars to persevere in their studies, may be taken to be a prelude to an effective recognition of the claims of Sanskrit in the educational policy of the State. In that renaissance which is ultimately destined to rehabilitate India in her rightful place in the history of nations, the revival of Sanskrit learning, generously encouraged by the Paramount Power, would prove to be one of the most far-reaching causes, and the part, however humble, played by Cochin at this juncture, will be remembered as an exceptional fact—for exceptional it is for a modern ruler, whatever might

have been the case with the ancients, to be virtually a Maha Maho-padhaya himself by his own special studies and eminent scholarship in Sanskrit literature.

The close and felicitous contact between the Sovereign of the State and Sanskrit scholars has been too conspicuous a feature in Cochin to justify the exclusion from this sketch of an open, but humble, reference to His Highness' literary sympathies. His intimacy with scholars must be counted among the highest examples of generous relationship, for unlike as they are in the fortunes of life, they have remained bound to one another by sympathies generated by common culture. Indeed, one of our heroes was the recipient of marked royal favour in the sister State long before he paid his obeisance to the Raja of Cochin. But from the date of our Sovereign's first acquaintance with Killi-mangalath Nambudiripad as well as his Kshatriya colleague, His Highness has taken in both of them the generous, nay almost passionate, interest of a man at once their master, patron and friend,—as master, he commands them and looks after their welfare; as patron, he has enjoyed their victories and himself triumphed in their triumphs, finally decorating their *wrists* with two "Veera Srinkhales" as a mark of unique distinction; and, as friend, His Highness has been their constant associate in their culture and studies.

K. S. M.

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### Art. III.—HISTORY OF THE PRESS IN INDIA.—XII.

#### VERNACULAR PRESS OF BENGAL.—II.

THE year 1870 witnessed the origin of two of the best vernacular journals of Bengal, the *Sulava Samachar* (Cheap News) and the *Halishahar Patrika* (Journal of Halishahar). The former was started by the great Brahmo preacher, Keshab Chandra Sen, as the organ of the Indian Reform Association after his return from his first visit to Europe. It was the first attempt at cheap journalism in the Vernacular Press of Bengal and was a weekly pice paper. It made a great sensation meeting with an unexpected success. Its object was to expose wrong, encourage right, and to educate common people. Three to four thousand copies were weekly sold, an unprecedented newspaper sale at that time in Bengal, and those classes who had never handled a newspaper before began eagerly to read and pay for the *Sulava Samachar*. Keshab Chandra Sen's friends, heedless of their social position, began to walk from street to street hawking the paper, often times without food or protection against the weather. The novelty and success of their newspaper stimulated here-after repeated imitations till at the present moment, cheap journalism has become a widespread institution in Bengal.

The *Halishahar Patrika* was started in Calcutta in 1870 as a monthly by a resident of Halisahar, a village in the 24-Parganas. In the following year it became a fortnightly, and in 1873 was made a weekly diglot; one portion used to be printed in



English and the other in Bengali. The English columns were edited by the late Babu Kisari Mohan Ganguli, B.L., then a young graduate of the Calcutta University, who afterwards became famous as the English translator of the *Mahabharata* published by Pratap Chandra Rai, C.I.E., and the Bengali portion was written by Babu Madan Mohan Mitter. Sir George Campbell was then Lieutenant-Governor of Bengal. He was a man of strong likes and dislikes and was very sensitive to newspaper criticism. From the beginning of his *régime* the Vernacular Press of Bengal made his strange idiosyncrasies target for their boisterous mockery. He became impatient at their raillery and instituted a vigorous inquiry into the state of the Native Press of Bengal. The result of the inquiry showed that the following papers were then in circulation in Bengal :—

- |                            |                         |
|----------------------------|-------------------------|
| 1. Pallibari Darshan       | ... Chatmohar, Pabna.   |
| 2. Tamluk Patrika          | ... Calcutta.           |
| 3. Grambashi               | ... Ranaghat.           |
| 4. Mahapap Balya Bibaha... | Dacca.                  |
| 5. Gram Dut                | ... Ponabalia, Barisal. |
| 6. Abala Bandhub           | ... Calcutta.           |
| 7. Chus-me-Alem (Persian)  | Patna.                  |
| 8. Akhbar-ul-Akbiar        | ... Mozufferpur, Behar. |
| 9. Assam Mihir             | ... Gauhati, Assam.     |
| 10. Murshidabad Patrika    | ... Berhampur.          |
| 11. Bala Ranjika           | ... Gopalpore, Barisal. |
| 12. Saptahib Paridarshak   | ... Calcutta.           |
| 13. Sahachar               | ... Calcutta.           |
| 14. Hitasadhidini          | ... Barisal.            |
| 15. Gyan Bikashini         | ... Chatmohar, Pabna.   |
| 16. Bishwa Dut             | ... Kalighat, Calcutta. |
| 17. Sulava Samachar        | ... Calcutta.           |

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| 18. Hindu Ranjika                | ... Rampur Boalia,<br>Rajshahye. |
| 19. Barisal Bartabaha            | ... Barisal.                     |
| 20. Amrita Bazar Patrika         | ... Calcutta.                    |
| 21. Rangpur Dik Prakash          | ... Kakinia Rangpur.             |
| 22. Education Gazette            | ... Hooghly.                     |
| 23. Jam-Jehan-Nama               | ... Calcutta.                    |
| 24. Bharat Sanskarak             | ... Calcutta.                    |
| 25. Saptahik Sangbad             | ... Bhowanipur, Calcutta.        |
| 26. Halishahar Patrika           | ... Calcutta.                    |
| 27. Banga Bandhu                 | ... Dacca.                       |
| 28. Saptahik Samachar            | ... Calcutta.                    |
| 29. Urdu Guide                   | ... Calcutta.                    |
| 30. Bahu Darshan                 | ... Calcutta.                    |
| 31. Grambarta Prakashika         | ... Commerkhally, Nadia.         |
| 32. Dacca Prakash                | ... Dacca.                       |
| 33. Shome Prakash                | ... Changripota,<br>24-Parganas. |
| 34. Bharat Bhritya               | ... Calcutta.                    |
| 35. Doorbeen                     | ... Calcutta.                    |
| 36. Samachar Chandrika           | ... Calcutta.                    |
| 37. Sangbad Pravakar             | ... Calcutta.                    |
| 38. Sangbad Purnochandra<br>Daya | ... Calcutta,                    |

Sir George Campbell, in his *Memoirs of My Indian Career*, thus writes :—

Education brings me to the press, that product of higher education which we have given. Then, as ever, we were a good deal troubled by abusive and sometimes seditious attacks on the governing powers. It was then the practice to make a précis of the notable sayings of the native press, for the information of Government officers and others ; and the offensive tit-bits were then carefully reproduced, and so given a circulation

which they would never otherwise have had. We used to think that such things were not unfrequently written in the hope that they would be thus circulated ; indeed I have known the writer to call the attention of the compiler of the précis in so many words in a naive kind of way. We found it desirable to discontinue the circulation. No doubt the attacks were sometimes very bad and scurrilous, and it was merely a question whether such things should be permitted to go on with impunity. Lord Northbrook consulted me about it. My own opinion always has been that an entirely free press is inconsistent with a despotic form of government even if it be a paternal despotism. In such circumstances press writers are always inclined to be "agin the government," and there is no opposing press to answer them. No doubt criticism is useful in bringing abuses to light, and press fulminations may be a sort of safety valve ; but a government, whose position largely depends on the sort of moral force due to a belief in its unassailable power, can hardly afford to be constantly held up to the contempt of its subjects.

" If we must have a free press, then the Indian Penal Code may or may not sufficiently provide for the punishment of abuse. But of this I am clear and most strongly hold, that the cure is worse than the disease if a libel on the Government, small or great, cannot be punished without a protracted trial, running into a sort of *cause célèbre* and giving the matter all the notoriety that the most ambitious libeller could desire, while the lawyers employed for the defence are allowed the most unbridled license to attack, not only the acts, but also the policy of the Government. That license of advocates is again a privilege which is carried to far greater excess under a despotic Government which permits it, than under a free Government, where there are two sides to a question. In one of the worst cases in my time, which was brought to light by the précis above mentioned, and attracted the attention of the Government of India, we traced the libel to its source, and found that it was the work of two plucked native students, who failing to qualify for a profession, had set up a small paper. A State prosecution of such a case would have made us

ridiculous. It may be somewhat different in the case of more important organs; but a late prosecution\* seems again to illustrate my view, that the cure is worse than the disease.

My own inclination then always was to bear the ills we were accustomed to rather than fly to others. I am pretty thick skinned, and had a sort of "it pleases them and don't hurt us" feeling, so I did not enter on press prosecutions. But I feel that the question of the right way of dealing with the press under the present system of Government in India is a question that is still unsolved and is not to be treated lightly. Of this only I am confident, that if we deal with it at all, we must deal with it in the largest way—not merely tinkering the Penal Code, but also dealing with the procedure and with the license of professional advocates."

In July 1873 some seditious writings appeared in the *Halishahar Patrika* to which Sir George Campbell drew the attention of Lord Northbrook in the following interesting correspondence :—

(Confidential.)

No. 2808, dated 7th August, 1873.

From—H. L. Dampier, Esq., Secretary to the Government of Bengal.

To—The Secretary to the Government of India,  
Home Department.

SIR,—The attention of His Excellency in Council has already been attracted by certain seditious passages which were reproduced from the *Halishahar Patrika* of the 4th of July in the report on Native papers for the week ending with the 19th of July.

2. On noticing these, the Lieutenant-Governor at once took the opinion of the officiating Advocate-General, which was to the effect that certain of them "disclosed offences within the meaning of Section 124A of the Penal Code; that is to say, that the language and expressions contained in the portions

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\* This most probably refers to the *Bangabashi* seditious prosecution instituted by the Government of Bengal in 1891. Sir George Campbell, it may be mentioned, published his autobiography in 1893.

marked by me are calculated to excite feelings of dissatisfaction to the Government."

3. On this His Honour caused inquiries to be made to ascertain who were the persons responsible for the paper ; and it appeared that the proprietor of the press at which it is printed is a young man of about 20 years of age, a student of the Hindu College named Adhur Nath Mookerjee ; that one Gopal Chunder Banerjee, a printer employed in the office of the *Hindu Patriot*, is said to be the manager and printer of the paper and that the registered printer and publisher under Section 5, Act XXX of 1867 is Gopal Chandra Parel, a student of the General Assembly's Institution, whose age is about 18.

4. Looking at the age of the two youngmen, and at the insignificance of all the responsible parties, the Lieutenant-Governor did not think it desirable to push the matter to a criminal prosecution, but caused a communication to be made to the registered publisher, of which a copy is annexed, previously warning him against a repetition of such an offence.

5. In submitting his opinion on this case, the officiating Advocate-General remarked as follows :—

" There is an explanation by way of exception to the last quoted section of the Penal Code, the language of which is very wide, and to my mind, somewhat vague, In any prosecution under section 124A, a person charged will doubtless avail himself of the protection of the explanation. But I do not think that in the present case such unmeasured language and such gross abuse of Government as is evidenced by the publication can be brought within the terms of the explanation and by way of exception."

6. The Lieutenant-Governor desires to take this opportunity of submitting his opinion that a much stronger law on the subject is required than that which now exists. In England such things, would, he believes, be punishable as gross libels, sedition apart. In this country not only is the Government required to furnish proof of actual sedition in the case of the most scandalous and offensive publications of this nature, but that offence is so qualified by the proviso that in the case of wretched Bengali scribblers whom no one supposes to have

the courage to do anything else than to render obedience to the lawful authority of Government, the matter becomes very complicated ; and if there is any opening for doubt or argument, reasonable or unreasonable, position in this country is now such that a prosecution would probably involve an amount of litigation and scandal that would make the cure worse than the disease. This is not the first time that a warning has been issued and nothing more done, and meantime such things have got worse and worse.

7. What really means nothing in Bengal may be read and copied by others in other parts of India, in whose hands and before whose eyes such matters would really be highly inflammatory and dangerous. The Government cannot allow Bengali school-boys to write seditious fiction without running great risk, and more risk of the spreading of such things. All the boys in Calcutta may read and not rebel, but what would a frontier Pathan think if he reads a translation of such things and finds that such things are published with impunity.

8. The Lieutenant-Governor requests that his strong opinion may be submitted to His Excellency in Council, that there should be a law to punish summarily and severely, without all the *éclat* of a long prosecution for sedition, those who write and publish mischievous and seditious libels on the Government and to shut up newspapers which are the vehicles of this language.

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No. 2790, dated 27th August, 1873.

From—A. C. Lyall, Esq., Secretary to the Government of India, Home Department,

To the Secretary to the Government of Bengal.

SIR,—I am directed to acknowledge the receipt of your letter No. 2808, dated the 7th instant, respecting the seditious passages published in the *Halishahar Patrika* newspaper of the 4th July, and in reply to state that the Government of India quite approve the course taken by the Lieutenant-Governor in the matter.

2. The remarks contained in the 5th paragraph of your letter as to the difficulty that may be experienced in the event

of a prosecution under section 124A of the Indian Penal Code in consequence of the wide terms of the explanation appended to that section, will be borne in mind when any project for the amendment of the Penal Code comes under consideration. As at present advised, the Governor-General in Council does not consider it desirable to make any change in the law which has been so recently enacted regarding seditious writings in the Press. It has not been found necessary up to this time to institute proceedings under that law, and the warning, given in a former case by the order of the Viceroy, and in the present instance addressed under the orders of the Lieutenant-Governor to the printer and publisher of the *Halishahar Patrika*, appear to have produced the desired effect. Any change that may be deemed necessary or expedient will have to be very carefully considered before legislation is resorted to in order to carry it out.

3. His Excellency the Governor-General in Council believes that the Lieutenant-Governor of Bengal with the higher officers who administer the province under him, will be able, by the exercise of the influence which belongs to their position, to discourage and very considerably to prevent native journalists from abusing the freedom of discussion which they possess under the British Government. To behave with open disrespect towards the recognised authorities of their country is not at all in accordance with the habits or feelings of the people of India generally; while it may be assumed that in many instances the writers of foolish paragraphs do not appreciate the full meaning and force of the words which they employ, especially when the language used is English.

4. On the other hand, His Excellency in Council is quite aware that it may be necessary to take action in respect to the newspaper writings that are plainly disloyal and seditious. But the condition of the law as it now stands adds another to the many drawbacks and counterbalancing considerations which must always beset a State prosecution of the Press and which render even a conviction a doubtful advantage. Moreover, Sir George Campbell has very truly observed that the ill-effects of seditious publications may be felt not so

much in the province where they are written as in other provinces where they are read ; that a Bengali editor may print things that are quite harmless among his countrymen but which may breed disaffection in other parts of India. Looking to all these facts and considerations, His Excellency in Council would desire to deal with any question of instituting a prosecution of this nature against the Press as a matter of Imperial policy, upon which the responsibility of ultimate decision should lie with the Government of India. I am, therefore, directed to request that on the occurrence of any case which in the opinion of His Honour the Lieutenant-Governor makes it right that a newspaper should be prosecuted for exciting disaffection, the Government of Bengal will, before taking proceedings against the offender, have the goodness to represent the circumstances and the grounds for action, together with the opinion of the Advocate-General, for the instructions of the Government of India.

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No. 3238, dated 9th September, 1873.

From—C. E. Bernard, Esq., officiating Secretary to the Government of Bengal,

To—The Secretary to the Government of India, Home Department.

SIR,—I am directed to acknowledge the receipt of your confidential letter No. 3790 dated the 27th August last, conveying the orders of the Government of India on the subject of influencing the Native Press and prosecuting Native editors for seditious writings. On the question of suggested changes in the Press law the Lieutenant-Governor has submitted his opinion, and he can add nothing more.

2. With reference to paragraph 3 of your letter which expresses a belief that the Government and its officers can, by the influence of their position, prevent native journalists from abusing the freedom of the Press, the Lieutenant-Governor must ask leave to disclaim the power of thus influencing the Native Press. He is very decidedly of opinion that, as things now stand, he could not attempt to do so without entailing worse evils than those we desire to remedy. The



Lieutenant-Governor, therefore, trusts that he will be excused from attempting this task. If in the recent instance, the Government has at all influenced the *Halishahar Patrika*, it has only been by threatening a prosecution. If the orders of the Government, conveyed in the last paragraph of your letter, are to be carried out, the Lieutenant-Governor will have no power to give any such warning in future, and he had rather not put himself in the position of threatening what he cannot do.

3. With respect to the instruction conveyed in paragraph 4 of your letter, I am to submit that, in the Lieutenant-Governor's judgment, the fact that papers published in Bengal may do harm *outside* Bengal, may be a very good reason for prosecuting in cases where, from a Bengal point of view alone, it might not be necessary to do so ; but that fact can, it appears to him, be no reason for not prosecuting where Bengal exigencies seem to require a prosecution. The Lieutenant-Governor sees then with regret and surprise that the only result of the present correspondence is an order absolutely prohibiting the Government of Bengal from prosecuting any newspaper for seditious language without the previous sanction of the Government of India. The Lieutenant-Governor ventures to think that such an order was, at present, particularly unnecessary, because His Excellency the Viceroy is aware that Sir George Campbell is, in the present state of the law and of the administration, very averse to entering on a prosecution of this kind, and very ready to seek council on the subject.

4. Reverting to the question of the Native Press, there is another view which the Lieutenant-Governor desires to submit to the Government of India, namely, the enormously increased publicity and importance which is given to it by our system of translating, printing, and widely circulating the abstract of native newspapers. The result is that the meanest and pettiest production which fifty people would not have read, and ten would not have seriously taken in—if it be only sufficiently violent, personal or seditious to attract the notice of the translator—is blazoned abroad at the public expense, is sent to every high official and to the newspapers, and is reprinted and

recirculated. The very case which gave rise to the present correspondence is, in point. In the obscurity of the *Halishahar Patrika* no one would have heard of its seditious language; as it is we have published it throughout the length and breadth of the land.

5. Many things are expressly and avowedly written in the native papers for the Government translator. A very common abuse of the Press is the practice of native public servants, who are specially timid and sensitive to this kind of thing. In his administration report just received, Mr. Buckland, the Commissioner of Burdwan, wrote upon this subject as follows:—

“ I must draw attention to the very strong comments which Mr. D'Oyly has made on the Native Press, which will be found in his district report. I have no doubt that more harm than good arises from the unbridled license of the Press, and the most fearful and unwholesome symptom is that anyone who has the courage to assert this, is at once denounced as a traitor to liberty. I say that he is an enemy to license, but not traitor to real liberty. There is, however, one aspect in which the present unbridled license of the Press is peculiarly injurious to Government, for it affects the feelings of its native officers and subordinates to an extent which is palpably detrimental to the thoroughly upright and fearless discharge of their official functions. I fear that there is not a native Deputy Magistrate in the country who could deny that he was afraid of becoming the subject of any personal attack in a Native newspaper. There are doubtless very few European officers, even of high position, who would not also object to it; for with very rare exceptions we wish at least not to be noticed in the public Press, as their praise is as likely to do us harm as their blame is. But the case of a Native Deputy Magistrate and his subordinates, especially at an isolated sub-division, is very different. He knows very well that the moment that any scoundrel denounces him in a Native paper, not only must he endure the local wit and ridicule and annoyance, but he has to await the publication of the Government translator's abstract of Native papers, and the almost inevitable call for an explanation from some one of his superiors—from the Magistrate to the Governor-General. Now, although it

seems a light thing to anyone in authority to call for an explanation, *i.e.*, to give an accused officer an opportunity of clearing his character the demand for an explanation presents itself in a very different light to the officer who has to give the explanation. I know of scarcely any more exquisite but certain process of torture than that which begins with the publication of a scandalous attack on a public officer, and leads up to a call upon him for explanation. Even if his explanation is accepted, he has gone through the ordeal ; he has been mentally tortured, whilst his assailant has lurked in darkness, and is beyond the reach of punishment. I say without fear of contradiction that this villainous misuse of the public Press affects the whole of the administration of justice by native officers, and that in the exceptional state of this country it is monstrous to allow a system of uncontrolled Press license to prevail, which is only suited (even if it is suited there) to nations in which independence and civilisation are more thoroughly established. No article, no letter, no paragraph, containing any personal comments, ought to be allowed to appear in a native paper, except under the true name and signature of the writer, for which the proprietor should be made responsible in his property and person. With regard to comments in the newspapers on pending cases, I have recently addressed the Government with a view to check their great and growing contempt of justice."

Without adopting wholly Mr. Buckland's views and suggestions, the Lieutenant-Governor must say that there is much basis of truth in what he says.

6. The practice of newspapers' comments prejudicing pending cases to which Mr. Buckland alludes at the end of the above extract, is also a considerable evil, and in fact, in some cases, it is a great scandal and abuse, which would not be tolerated in any other country.

7. On the question of publishing the abstracts of native newspapers, the Lieutenant-Governor is much inclined to think that if we have abstracts of native papers for our own use they should be confidential and confined to the Government and not published to the world

The following letter of warning was addressed to the printer and publisher of the *Halishahar Patrika*:—

Dated 7th August, 1873.

From—H. L. Dampier, Esq., Secretary to the Government of Bengal,

To—Babu Gopal Chunder Pareal, Printer and Publisher, *Halishahar Patrika*.

SIR,—The attention of the Lieutenant-Governor has been drawn to certain remarks in the issue of the *Halishahar Patrika* of the 4th of July which bear a highly seditious appearance and are scandalously offensive. His Honour is advised that those remarks amount to an offence under section 124 A of the Penal Code (Act XXVII of 1870), for which the punishment may amount to transportation for life. Inquiries have been made with a view to bringing the responsible persons to justice, and it appears that you are the registered printer and publisher of the paper, and thus are responsible, but that you are a mere youth, studying at the General Assembly's Institution.

Taking into consideration your youth and inexperience, the Lieutenant-Governor has not prosecuted you criminally, believing that you probably did not realise the full meaning of what you published in your paper, and hoping that it was a piece of school-boy folly.

At the same time the Lieutenant-Governor desires that you will understand that such things cannot be permitted, and that you take warning by the narrow escape which you have now had from so severe a punishment; you may rest assured that no further offences of the same kind will be overlooked, and that on the next occasion on which such things appear in your paper, the necessary measures will be taken to bring you and all others who are responsible from their connection with the *Halishahar Patrika* to justice.

Contemporaneously with the origin of the *Halishahar Patrika*, another Vernacular fortnightly called the *Samaj Darpan* (Mirror of Society) was started in 1871 at Khulna in the district of Jessore.

Its real proprietor was Babu Jasada Nandan Sarkar,\* then Deputy Inspector of Schools at Khulna. In one of its early numbers, Sir George Campbell and his Secretary, Mr. Bernard, were held up to ridicule in a letter published under the heading "The Parlour at Hazaribagh." The Lieutenant-Governor, instead of enjoying the squib, took it very seriously and dismissed the proprietor from Government service. Thereupon the latter transferred his paper to Calcutta and made it weekly.

In October 1873 another Vernacular weekly of the type of the *Halishahar Patrika*, began to be published at Chinsurah by Babu Akshoy Chandra Sirkar, B. L., under the title of the *Sadharani* (the Public). From February 1872 the *Amrita Bazar Patrika* was transferred to Calcutta and began to be published as a weekly Bengali newspaper under the management of the late Babu Shishir Kumar Ghosh. For this change, it grew in circulation. In the beginning of 1875 Lord Northbrook deposed Mulhar Rao, Gaekwar of Baroda, and the *Amrita Bazar Patrika* on the 23rd January 1875, wrote strongly on the measure. In a despatch dated 9th June 1875 (No. 1683 p.) the Secretary of State for India, then Lord Salisbury, called attention to them, the tendency of which was to justify the attempt to poison Colonel Phayre at Baroda; the latter of the two articles ending with the following singular peroration:—"To emasculate a nation that the Government may rule without trouble! Surely to poison an obscure Colonel is by far a lighter crime."

The Secretary of State for India, after commenting on the language of these articles, observed:—"It seems

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\* I have been informed that this gentleman is now alive and is practising in Calcutta as an *Ayurvedic* physician.

to me that the unchecked dissemination among the natives of articles of the character cited above cannot be allowed without danger to individuals and to the interests of Government itself." He pointed out that section 124A of the Penal Code provided for the punishment of any one endeavouring to excite feelings of disaffection to the Government, but with a proviso that there is no punishable offence committed so long as the disapprobation which it is intended to excite is compatible with a disposition to render obedience to the lawful authority of Government, and to support its lawful authority against unlawful attempts to subvert or resist it. The despatch concluded by leaving it to the Government of India to decide whether the law should be brought to bear on such writings, and asked for an opinion on the subject. "In any event," Lord Salisbury added, "I direct your Excellency's serious attention to the continued production of this class of articles by a portion of the Native Press."

The Advocate-General, on being consulted, stated that, in his opinion, the articles in question were punishable under the section quoted and were not protected by the proviso; but he seemed very doubtful whether a native jury would convict, and whether the risk of failure did not outweigh any advantage to be gained by a prosecution.

This view was supported by the Government of India, who, in replying to the Secretary of State's despatch, observed: "Our conclusion is that, in the present state of the law, it is not desirable for the Government to prosecute except in the case of systematic attempts to excite hostility against the Government," and added: "The questions of the tone of the Native Press, of the condition of law, and of the propriety of

altering it, present very great difficulties, and we propose to take another occasion of expressing our views upon them."

But Lord Northbrook did not move in the matter any more. On the arrival of his successor Lord Lytton on the 12th April 1876, the question was immediately raised, and a suggestion was made to import into India Part III of the Statute 33 and 34 Victoria, Chap. 9, ss. 30 to 33, as it was thought simple and brief.\* But it was objected to by the then Legislative Member, Mr. Arthur Hobhouse (afterwards Lord Hobhouse) in the following minute dated the 10th August 1876 :—

*Note by the Honourable Arthur Hobhouse, Q.C., on the Native Newspapers, 10th August 1876.*

1. It may be my English prejudices, but I have an almost invincible repugnance to stir in this matter except under the pressure of some necessity, which not only would justify action, but would show us clearly what remedy was wanted.

2. The remedy now proposed is the importation into India of Part III of the Statute 33 and 34 Vict. Chap. 9. I rather think that this law, which was passed for Ireland, has never been put in force there. Whether it has had any effect on the Irish newspaper Press I do not know. The Secretary of

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\* Irish Coercion Act of 1870. It laid down that on the Government being satisfied that any newspaper contained seditious matter, or incited to any form of felony, the head of the Government might serve a notice on the proprietor to the effect that it did contain such matter, and calling attention to the provisions of the law. If after the expiry of seven days (for weekly papers) and two days (for daily journals), from the receipt of such notice, the same paper, or any other paper published at the same press, or by the same proprietor or printer, contained seditious matter, the Government might then confiscate all printing presses, plant, and materials found on the premises.

Sections 31 and 32 empowered Government to issue search warrants and enter the premises of any such press. Section 33 gave power to proprietors, aggrieved by the action of Government under this law, to maintain a suit for damage: on account of the illegal seizure or search within two months and allowed such action to be brought in any of Her Majesty's Superior Courts of Common Law at Dublin. Such a law, *mutatis mutandis*, i.e., regarding "Governor-General in Council" for "Lord Lieutenant" and "Court of the District Judge having jurisdiction" for "Superior Courts of Common Law at Dublin," was sought to be introduced in India.

State could, of course, inform us of these things. Apart from any proof of its effects, I should doubt whether such a law would be more efficacious than the law we have in India.

3. Mr. Howell\* appears to be under the impression that something designed by the framers of the Penal Code, and which clearly ought to be in a Penal Code, has been omitted from it. The fact, however, is that there was such an omission, but that it was supplied in the year 1870 on the ground that the Code as it stood was imperfect. We have now in our law as much precaution against seditious writings as the original framers of the Code, the Law Commissioners of 1860, the Committee who settled the Code of 1860, and the Committee who settled the supplementary Act of 1870, considered necessary, *viz.*, a penalty for exciting or attempting to excite feelings of disaffection. We ought to have a clear case for taking further powers without trying the efficacy of the law we have enacted after so much deliberation.

4. Why do we not put the existing law in force? We cannot say that in substance it fails to meet the mischief, for in the only two cases in which we have taken legal advice (those of the *Amrita Bazar Patrika* and the *Halishahar Patrika*) we were advised that the writers had brought themselves within the grasp of the law. The reasons assigned for not prosecuting were in one instance the insignificance of the culprit, and in the other that the composition of juries made a conviction uncertain and that, even if a conviction were obtained, the excitement and scandal of the affair would counterbalance its advantages.

5. Now, how would the Irish Act help us out of such a difficulty as we felt in the case of the *Amrita Bazar Patrika*? It gives to Government power on the appearance of seditious matter to give public warning to the newspaper, and on repetition of the offence to seize the plant of the concern. But then the proprietor may bring an action for damages on the ground that his publication was not seditious; and in that action must be decided precisely the same issues as would be decided in a

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\* Mr. Arthur Howell, then Officiating Secretary to the Government of India, Home Department.



prosecution for sedition. It seems to me that the gazetting of a warning and a subsequent seizure and action for damages would occasion as much excitement and scandal as a prosecution. The danger of being cast before a jury would not be so great, because when a jury are divided, it is the plaintiff who fails ; but so far as regards moral effect it would be much the same whether they were divided on a prosecution or an action.

6. The sum total of change by such a law would be this, that the Government might punish an offender to the extent of destroying his plant, that there would be a chance of his not choosing to bring an action ; and that if he should bring one and the jury were divided, he would recover no damages. That seems to me an amount of advantage for which it is not worth while to embark on such a controversy as we must expect for it.

7. It may indeed be shown that the Irish Act has operated with an effect which could hardly be anticipated from its provisions. But I should say that if we are to curb the newspaper Press effectually, we must take powers considerably more arbitrary than any contained in that Act. Nor do I think that there would be greater political difficulty in taking the larger powers than in taking the smaller, if ground is shown for taking any. I have no doubt that even a slight encroachment on the liberty now accorded to newspaper writers will be resisted with all the power of themselves and of those who sympathise with them.

8. In the first place, it is quite certain that all the forces of Native Society, Newspaper Associations and others, will be brought to bear against us. So far as my personal experience has gone, and so far as I have read the history of enactments prior to my time, there has never been a proposal to place more power in the hands of the executive that has not been vehemently objected to by those who represent Native Society. The pending bills relating to Presidency Magistrates and Dramatic Performances, and the Bombay Revenue Bill which is trembling in the balance before the Secretary of State, are instances in point.

9. Then, can we make a distinction between the English and Vernacular newspapers ? It seems to me absolutely

impossible that such a distinction can stand the brunt of discussion. Whether looked at broadly and superficially or examined minutely, whether treated by sentiment or reason, it would in my judgment be condemned. On the broad view, it is class legislation of the most striking and invidious description, at variance with the whole tenour of our policy, and only to be justified by the most cogent proofs of danger from the maltreated class. On a closer view, we should find that it is our own countrymen who say the worst things of the Government and say them most continually.

10. In my note of the 18th May 1875, I stated my opinion that the English newspapers did more than the native ones to bring the Government into contempt and odium. Since that time I have been careful to observe the official extracts from native newspapers, which I imagine to contain all the worst things that are said of us, and I have compared them with what is said by such papers as the *Englishman*, the *Friend of India*, and the *Statesman*. The result has been to confirm me in my former opinion. I see that Mr. Howell expresses the same opinion. I do not know whether he has in his eye the same articles that I have in mine; but within the last few weeks I have read in the *Friend of India* articles copied from the *Statesman*, charging us with taxing or rather plundering India for the benefit of England, with a violence and appeals to divine and human wrath which certainly would excite rebellious feelings if any thing of the kind could do so. The Advocate-General has advised us that charges of poisoning one nation and emasculating another are seditious and criminal. What shall we say to charges of taking hard cash from the nation we govern to hand it over to the nation we belong to?

11. Now, I would ask what can justify us in saying that offensive matter published in the *Statesman* shall not be punishable, but that the same matter honestly translated into Bengali and published in the *Anrita Bazar Patrika* shall be punishable. Surely our only justification would be a clear and strong conviction that elements of danger are aroused by the use of one language which are not aroused by the use of

the other. I cannot find the evidence for such a conviction, and do not entertain it.

12. In the native newspapers I find a quantity of feeble and childish whining about the shortcomings of Government in matters small and great : now because there is a puddle in the street and now because there is a famine or a pestilence. I also find a quantity of vague and general allegation that the Government is careless and blundering and oppressive. In all these things they appear to me merely to have followed, *haud passibus æquis*, the bad example of their English brethren who almost invariably prefer blaming to praising, and like to assume that those in authority are wrong. Indeed the native papers often add some praise, equally feeble and vague with their blame, which the English ones do not. As regards any attack from outside, I have never seen welcoming it on the part of native newspapers ; on the contrary I think it remarkable how, in this aspect, they identify themselves with their rulers. The extracts given in Mr. Robinson's report relative to Russia and Cabul supply several instances of this.

13. The subject on which they do unanimously, eagerly, persistently and often angrily complain, is that of class preferences. Sometimes in a vague, hopeless way and sometimes with intelligence and force, and with reference to specific instances they allege that when class questions arise, the weakest go to the wall. I again refer to Mr. Robinson's illustrations, which are quite in accordance with my own impressions, gained from the weekly extracts. The most bitter utterances by far which are to be found there relate to such subjects as these, the larger jurisdiction given to Europeans ; the inequality of punishment meted out to Europeans and natives for the same crime ; the general unfriendliness and haughtiness of Europeans ; the hostile tone of the European papers ; and the severity and injurious conduct of residents at Native Courts.

14. Now, is there anything in all this which should induce us to draw a distinction between English and native newspaper ? Of course it will be said that whatever the English newspapers may write, we know that they do not aim at upsetting the English dominion ; that neither their conductors nor their

English readers wish to bring the whole house down about their ears. Exactly so. But that gives rise to one or two remarks. One is, that many native communities, pre-eminently the Bengali, have a strong interest in maintaining our dominion, and are perfectly aware of it. Another is that the immediate interest of the owners of newspapers is to sell them, and to do that they or some of them are quite ready to preach doctrine which, if only it had any influence, would bring the house down about their ears. There is no difference in this respect between English and native. Another is that the language of Indian newspaper writers must be taken with many grains of salt before we argue from it to the opinions of society at large. What is the evidence that the native newspapers do in fact excite or betoken any disaffection? All that I see cited is that of the newspapers themselves. All beyond is pure conjecture. But if hostile and calumnious utterances of English newspapers are in themselves no evidence of disaffection, why should we attribute a different value to their imitators, the native newspapers?

15. As regards the principal subject on which the English and native newspapers differ in form, there is no difference in spirit,—I mean the subject of class preferences. The English papers do not frequently attack the Government about it, because their own class is dominant. But let there be any attempt to treat classes with more even-handed justice than has been customary, and see what happens. Why, outcries and menaces, compared to which the complaints of the native newspapers are gentle murmurs. In the Meares case, I forget whether it was one of the newspapers or one of the speakers at a public meeting in Calcutta who threatened that the European community would be in a state of rebellion if that plain act of justice were maintained. Whoever was guilty of that particular piece of folly, the language of the English newspapers was outrageously violent against the Jessore Magistrate, Mr. Justice Phear and Sir Richard Couch and threatened the Government with all sorts of disasters if it supported the sentence. In the Fuller case we are now experiencing a manifestation of the same spirit, though in a milder form. According to English

newspapers, our action is lawless, tyrannical and foolish and can only be accounted for by the union of crass ignorance with sinister motive. I believe that if we go further back in our history, *e.g.*, to the Black Act, we shall find that the violence and folly of the Anglo-Indian Press upon any proposal to treat the European and Asiatic communities more nearly on an equality used to be greater than they are now.

16. It is this strife of classes that has given rise to the two cases of seditious writing in which we have sought legal advice. It may well cause surprise that it should not have given rise to more. The topic is an exciting one, and we must bear in mind that to a great extent the Natives are right and are only contending for the same objects with our own Government. When they complain of the inequality of punishments, they strike at an evil at which we have struck in the Fuller case. When they complain of an unfair distribution of jurisdiction and appointments, they aim at an end for which an Act of Parliament has been passed and which all branches of Indian Government are devising means to compass. When they complain of general unfriendliness and haughtiness, there is another side to the story, but they have at least some high English dignitaries with them. Such things as complaints about Residents and hints that British officers borrow money in their districts are reprehensible or otherwise, according to their truth, of which I know nothing. In all these things it seems to me desirable that people should speak freely, subject only to the correction of the ordinary law if they abuse their freedom. Where the limits lie beyond which freedom becomes licentiousness is a most valuable and difficult piece of knowledge, only learnt after long experience and much contention, and the steady operation of equal and reasonable laws. A few aberrations should not induce us to make our laws either unequal or highly restrictive.

17. When the Act XXVII of 1870 was under discussion the native associations complained of the vagueness of the 5th section and asked how they were to know whether they were obeying the law or transgressing it. Mr. Stephen answered them to this effect : " Go to the English newspapers ; whatever

they say, you may say : that anybody should want to be more offensive than they are is inconceivable." But that arrangement will be turned against us if we lay down that the very same thing shall be innocent if said by an English newspaper and criminal if said by a Native one.

18. If, then, yielding to such reasons as are above given, we propose to include all newspapers in a more stringent law, we shall have the opposition of all to its passing, and their continued hostilities against every act done under it. We shall also have the opposition and hostility of all those who value even the germs of an efficient free Press, who think that, all drawbacks notwithstanding, we may find those germs in the Native newspapers, and who dread a censorship of the Press as only an apparent and temporary advantage, but in the long run a snare, and an addition to the difficulties of an absolute Government.

19. I do not go into the argument about a free Press and the peculiarity of our position in this country, with which everyone is familiar. But I may say here, that those who object to such an amount of free speech as our law allows in newspapers because of the autocratic nature of our Government are really, though perhaps unconsciously, raising a still deeper and wider question, *viz.*, whether it is right to promote the education of the natives.

20. Neither knowledge nor freedom of speech can be acquired without some unpleasant excesses. We have chosen the generous, I think the wise, policy of encouraging both, and we ought not to be frightened because some of the symptoms appear. People who increase their knowledge are sure to be discontented unless their power increases too, and will probably be impatient to acquire that power; and people who have newly acquired freedom of speech are likely at times to use their tongues without discretion. All that we must take as the drawback necessarily attendant on the benefit of having a more intelligent and less reticent people in India.

21. Firm, honest and steady Government is, I believe, the best answer to vague, unreasoning complaints. Such a

Government need not involve any fussy interference with the Press, which in other countries is found to be the concomitant of arbitrary powers over it, which is apt to root out the wheat with the tares, and which the more it is practised tends the more to increase the sensitiveness of officials to comment. I think it does involve the expediency of enforcing the law against such publications as are conceived in a clearly rebellious or criminal spirit, and are also of sufficient importance to warrant the action of Government. I had at the time, and still have, some doubts whether it was wise to let the criminal articles of the *Amrita Basar Patrika* pass with impunity. If such a prosecution succeeded it would be a salutary lesson; if it failed either from the insufficiency of the law or from the bias of a jury, it would afford ground for fresh legislation. I cannot clearly perceive how a well-selected case would result in any discredit to Government. Excitement, it doubtless would cause, and in some quarters the reviling which comes of excitement; but that is quite a different thing from discredit or scandal. Nor do I think it would cause so much excitement or disapproval as a proposal to take summary powers over newspapers without a salient occasion showing the necessity for them, such as may be fairly said to have happened in Ireland.

22. One of these files (No. 4) relates to a topic which requires quite different treatment. It is alleged that the owners of native newspapers extort money from Native Chiefs and Officials at the price of silence about them. That is a most serious offence, and I doubt whether the sections in the Penal Code on criminal intimidation or those on extortion are adapted to meet it. If the crime is really committed, I should advise an addition to the Penal Code in order to suppress it. But we ought first to make careful inquiry and be quite sure of our facts before we commit ourselves to action.

23. In all other respects my advice is that when a fitting case arises we should enforce the law we have, and that we should not attempt under present circumstances to alter the law.

A. H.

10th August 1876.

Besides, Sir Richard Temple, then Lieutenant-Governor of Bengal, was not in favour of either altering or amending section 124A of the Penal Code to further curtail the liberty of the Indian Press.\* For all this Lord Lytton took time to consider the matter and did not take any steps for more than a year.

In 1877 Sir Ashley Eden became Lieutenant-Governor of Bengal. In a speech delivered at a durbar held in Calcutta on the 12th August 1877 he drew attention to this subject in the following manner :—

“ He had said that loyalty was with the Bengalee a matter of course, but he hoped that they would let him, as a friend, make one or two observations on this subject from a point of view which he believed seriously affected Bengalee interests. It was not uncommon to hear people when speaking of the loyalty of Orientals, distinguish between what they called heart loyalty and lip loyalty, and the inference was sometimes sought to be drawn that the loyalty of the country was more often the loyalty of profession than of feeling. The charge which His Honour had to bring against their countrymen was the very reverse of this. He believed that they were in feeling, in aspirations, in community of interests, as loyal at heart as it was possible to be ; but he saw, and saw with regret, that among a certain section of the community there was a growing tendency to criticise the work of Government, and the intentions and actions of public officers in a spirit which was distinctly disloyal and sometimes even seditious. He had, when defending the character of the Bengalee for loyalty and devotion to the British Government, been met both in England and

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\* Under date the 12th January 1878 Sir Richard Temple as Governor of Bombay thus writes semi-officially to Lord Lytton :—

“ Unless the Native Press of Bengal has got worse during 1877, I am not sure whether it can be called disloyal on the whole. There used in my time to be elements of decided loyalty in it. I used to extract the loyal and disloyal passages, and reprint them in parallel columns, in order to strike a sort of balance for my own consideration. I must also remark, with extreme difference, that our impression used to be that the Government of India noticed assertions made by the Native Press which notice aggravated its importance. My opinion of the Native Press of Bengal up to *January* 1876 will be found in my minute on the Administration of Bengal bearing date January 1876.”



in India with the inquiry as to how he could possibly reconcile the loyalty of the people with the seditious language of the Native Press. His explanation would at once, he was sure, be admitted by them to be correct, though he had not always found it so readily accepted as he could have wished. He had always said that the Vernacular Press in no way represented the feelings of the people. It was not in the hands of men of influence, or learning, or position, with a claim to be considered representatives of Native thought. It had no standing or influence in Native society ; no one believed it ; no one trusted it ; no one was led by it. But admitting this to be correct, it was surely a national reproach that, with hundreds of thousands of young men of education and learning, the Vernacular Press, which might be made the means of teaching the people much good, and securing a good understanding between the rulers and the ruled, should have been allowed to sink into such hands. He had spoken of this at the risk of giving offence, because he knew that the character of the Vernacular Press was creating an unfavourable impression in many quarters of the loyalty of the Bengalee, and he wished to warn them of this mischief, and to point out to those whom Government had selected for distinction and honour on this occasion, and on other occasions, that it was their duty to remove this cause of national reproach."

In a demi-official letter he also urged the subject on the attention of the Government of India in the following words :—

"I do not believe that any country in the world would have stood such writing as we have allowed for the last ten years. Lord Northbrook took it up, and we all minuted on the subject, but there seemed to be a disinclination to move in the matter, and since then the editors of the most seditious papers have been praised and flattered (by the Bengal Government) till they have become actually reckless. A strong expression of feeling from Government will put a stop to it, for there is no sympathy between the people and the Press. The whole of each paper is generally written by some dismissed clerk or captious schoolmaster. A change has already taken place in their tone since I spoke about it, and I think the

Government of India might clinch the matter by a despatch to all Local Governments, drawing attention to the matter, and requesting that the character of the Press should form the subject of special report from the Local Governments. They are frightened now, and it is well to keep up the raw. They preach rank sedition, and even talk of a war of independence—horrid rubbish no doubt—but rubbish we should not stand.”

In support of these assertions, the Lieutenant-Governor of Bengal sent up a series of extracts from Bengalee newspapers\* during the year 1876 and 1877. On receipt of this communication from the Bengal Government, Lord Lytton wrote a minute, dated the 22nd October 1877, and ordered it to be circulated to the Local Governments for a very early expression of their opinion. The following definite suggestions were contained in His Excellency's minute :—

(1) That the explanation attached to section 124A of the Penal Code should be modified, so as to throw a less impossible burthen on the prosecution in proving attempts to incite disaffection.

(2) That provision should be made for taking security from proprietors of Native presses.

(3) That a law similar to the Press Law now in force in Ireland (33 and 34 Vict., Cap. 9, sections 30 to 33) should be enacted.

In this minute Lord Lytton attempted in the following manner to reply to the objections raised by Mr. Arthur Hobhouse as Legislative Member, to the importation into India of the Irish Press Law :—

“A proposal similar to this (that is, proposed in section 3 above) was made last year, but was objected to by my late colleague Mr. Hobhouse in his minute (quoted in full already).

\* The extracts came from (1) *Amrita Bazar Patrika*, (2) *Banga Hitaishi*, (3) *Behar Bandhu*, (4) *Bharat Mihir*, (5) *Bishwadut*, (6) *Moorshidabad Pratidhahi*, (7) *Shadhorani*, (8) *Sahachar*, 9) *Samaj Darpan*, (10) *Somaprakash*, (11) *Suhrid*. The extracts are too long to be reproduced here. *The Samaj Darpan*, it should be stated here, ceased to exist in 1877.

His opinion is entitled to the greatest weight, but, in estimating the difficulty in which action under such a law would land the Government, he makes an important oversight. He assumes that, after warning a paper and confiscating its plant, the Government would be in no better position than before, as the aggrieved proprietor would bring his action, and Government would find it equally difficult to substantiate its case before a jury as defendants in a civil suit, as to do so as prosecutor in a criminal action, but there is this difference—except in Calcutta, the civil suit would not go before a jury at all, but would be confined to the District Judge's Court; and as a matter of fact, the great majority of vernacular newspapers are published in the mofussil. The Government would have two advantages—

*1st.*—The proprietor would hesitate to throw good money after bad by bringing an action.

*2nd.*—It would be very much easier for Government to defend before a Judge its own action in having confiscated the press than to persuade a Native jury that a patriotic editor deserves imprisonment.

The criminal penalty under the Penal Code, however, need not be abrogated; it would remain as an additional weapon in reserve for very flagrant cases indeed.

The real *crux* is, as pointed out by Mr. Hobhouse, the difficulty of drawing a distinction between the Native and the English Press. That there is a real distinction everybody perfectly well knows and understands. The English Press, however vituperative and mischievous, addresses its attacks against the measures of individual Governors, or against the persons who compose the Government; it does not attack the supremacy of Her Majesty's Government, and, of course, has no desire to subvert it. The Native Press, however insignificant its attacks may be, is occasionally influenced by a desire, real or pretended, to subvert the English regime, and to substitute Native rulers; but this distinction, which is quite sufficiently marked to guide the executive in practice, is not one which can be defined and formulated in a legal enactment. It seems to me, that while the law can make no distinction, the difficulty may in practice, be overcome by making the

law applicable (like the Arms Act) only to such parts of India and to such classes of newspapers as the Government may, by proclamation, see fit to extend it, and it need, in the first instance, be extended only to papers published in the vernacular languages. It is only these that circulating among uneducated classes can do serious mischief. Sedition circulated in the English language appeals only to a small section of the people who are of necessity tolerably educated and capable of judging of the value of such writing. It may gratify their taste, but it is not likely to mislead them into a foolish action."

All the Local Governments and Administrations in India with the exception of the Government of Madras expressed their opinions on the second and third of the Viceroy's proposals and were unanimous in the opinion that a special law was needed for the control of the Native Press. Accordingly on the 14th March 1878 a Bill for the better control of Publications in Oriental Languages was introduced and passed at a single sitting of the Viceroy's Legislative Council. All the members of the Council supported the measure without a dissentient voice.

In forwarding the Act to the Secretary of State for India for final approval, the Governor-General in Council in their Despatch (Home Department, Judicial, No. 23 of 1878) dated Simla, the 18th April 1878, made the following observations :—

In framing this Bill we embodied in it the principle of the first of the two suggestions made in the Viceroy's Minute, that seditious writing and other malpractices on the part of Native journalists should be repressed by rendering the printer or publisher liable to be called upon to furnish security, but we introduced an alternative provision to meet the cases of the less wealthy newspaper proprietors, enabling the publisher to take his paper out of the operation of the security provisions of the Act by undertaking to place it under censorship. The Act provides for a warning similar to that

provided for in the Irish Act, and for the confiscation of the paper and printing plant in the event of the warning being disregarded ; but it differs from the Irish Act in that it excludes the jurisdiction of the Civil or Criminal Courts in regard to any proceedings purporting to be taken under it. This proviso we consider essential, for reasons very similar to those which have led us to regard prosecutions for seditious writing before the ordinary Criminal Courts as inexpedient.

9. The Act, as was pointed out by our colleague, Sir Alexander Arbuthnot, in his opening speech in the Legislative Council, is essentially an enabling Act. It will take effect only in those parts of India to which it may be extended by the Governor-General in Council, and will cease to have effect whenever the Governor-General in Council so directs. For the present we have not deemed it necessary to extend it to the Presidency of Madras. And not only is it an enabling Act in regard to its extension to particular provinces ; but when it has been extended to a province, it cannot be put into force in any case without the previous sanction of the Local Government. Further, it is rather a measure of preventive legislation than of penal legislation. The machinery by which it will work is a machinery of checks rather than of penalties.

10. We have said that, on full consideration, we did not deem it expedient to attempt to cure the evil with which we had to deal by any amendment of the Indian Penal Code. In the first place, the Penal Code is necessarily general in its application, and any amendment of its provisions against seditious writing must include classes which it was not deemed right to include in the scope of the special legislation which had been determined to be necessary. Then, again, the provisions of a Penal Code are essentially and exclusively punitive, whereas our object is prevention rather than punishment. In the words of the Viceroy, " we have no desire to resort to fine or imprisonment. What we do desire, and what we regard as the plain duty of Government, is to prevent the open preaching of sedition and rebellion amongst the most ignorant, excitable, and helpless portion of its subjects." But the main reason which deterred us from resorting to an amendment of the Penal

Code was our decided opinion, that, however stringent the law might be made, the evil was not one which could be satisfactorily cured by means of criminal prosecutions in the ordinary Criminal Courts. Even if it were perfectly certain that in every case a conviction would be obtained, the political effects of such trials, which would often be of some duration, could not fail to be mischievous. They would be certain to create a good deal of excitement, and would invest the accused with a fictitious influence in the eyes of their more ignorant countrymen, which it is desirable to avoid. A successful prosecution, as the Viceroy remarked, would give to the seditious teaching of the prosecuted journal "the very publicity which, in the interests of good government, we should desire to prevent. Every such victory would be a virtual defeat." What is needed is a procedure more summary, and, as we have said, framed rather with a view to prevention than with a view to punishment.

11. Your Lordship will observe that the Act deals with the offences of extortion and intimidation, when practised by a Native journalist. Allusion is made to this subject in the Viceroy's minute.\* It is one which demanded a remedy hardly less than the seditious writings which have been the main cause of the passing of the Act.

12. We do not deem it necessary to lengthen this despatch by inserting in it specimens of the description of writing with which it is intended to deal. Several specimens of this description of writing were read to the Council by the mover of the Bill, and also by the Viceroy, and will be found in the report of the debate. In the speech of the Advocate-General they were classified under the following categories :—

(1) Seditious libels, malicious and calumnious attacks on the Government, accusing it of robbery, oppression and dishonesty and imputing to it bad faith, injustice and partiality.

\* The reference is to the following passage in the Viceroy's Minute :—

"Now the necessity for enforcing some responsibility on the printers and publishers of newspapers does not turn only, or even mainly, on the sedition and disaffection which they may excite. A more immediate, if not more serious, evil is the use made of the Native press—

(1) As an instrument of extortion, whereby the owners levy blackmail from Chiefs, Rajas and other Natives whose position is sufficiently prominent to expose them to its attacks.

(2) As a means of intimidating Native officials, Judges, Deputy Magistrates, Police Officers, in the execution of their duty."

(2) Libels on Government officers.

(3) Contemptuous observations on the administration of justice, pointing to its alleged impurity and worthlessness.

(4) Libels on the character of Europeans, attributing to them falsehood, deceit, cruelty and heartlessness.

(5) Libels on Christians and Christian Governments, and mischievous tendencies to excite race and religious antipathies.

(6) Suggestions and insinuations which their authors believe fall short of seditious libels by reasons of the absence of positive declarations.

13. It only remains for us to advert to the course which, after very careful and deliberate consideration, we deemed it right to adopt, of restricting the operation of the Act to the Vernacular Press and exempting from it the English Press. This point, it will be seen, was very fully discussed in the debate in the Council, to which we would refer your Lordship for a statement of the reasons which weighed with us. The grounds of our decision were of a twofold nature :—

1st. That the English Press, notwithstanding many imperfections, has never, and, as regards the Anglo-Indian portion of it, is never likely to preach sedition.

2nd. That the Vernacular newspapers are addressed to a more ignorant and more easily excited class, and that, therefore, in their case seditious writings are more politically mischievous than the same writings would be if they were written in the English language.

14. We trust that the provisions of the important Act which forms the subject of this despatch and the reasons which led us to regard it as a measure of imperative necessity will meet with the concurrence of Her Majesty's Government. It was not without very deliberate consideration, and it was under a grave sense of responsibility which attaches to us for the maintenance of order that we deemed it our duty to adopt a policy which many persons, uninformed of the actual facts, and without knowledge of the people with whom we have to deal, will not unnaturally regard as a retrograde policy ; but we consider

that in a matter of this nature it is only those on the spot and those acquainted with the Native character, who can adequately judge of the extent of the evil which had to be repressed, and of the mischief which would have resulted from permitting it to continue unchecked. In making this remark we do not intend to imply that we consider the great body of Her Majesty's Indian subjects to be disaffected towards the British Government. We do not hold this opinion. On the contrary we see every reason to believe that the justice and moderation of British rule are appreciated and valued by the people of India ; but we must not forget that among the teeming millions of this land there is a vast amount of ignorance, an amount of ignorance which, however successful may be our efforts in the promotion of popular education, it will take many generations to disperse, and that such a people is peculiarly susceptible to the preachings of sedition. We desire to draw your Lordship's attention to the statement made by one of the speakers who took part in the discussion of this measure, and who has had considerable experience of one of the most important provinces of Northern India, that the seditious language of the Vernacular Press is creating amongst the most ignorant masses of the Native population those erroneous impressions and disloyal sentiments which it systematically and unscrupulously suggests to their uncorrected credulity. Nor must it be overlooked that a subject race, accustomed to centuries of autocratic rule, is unable to understand that degree of toleration on the part of the ruling power which allows its Government to be continually held up to the hatred and contempt of its subjects. Such toleration is mistaken for timidity, and the political effect of it can hardly fail at any time to be more or less mischievous. But it may here be stated that we have had strong reason to regard it as especially mischievous ; at the present moment the entire native population of this country is excited to a degree altogether unprecedented, by the course of events in Eastern Europe ; and when the bazaars of India are daily teeming with political rumours, popular criticisms, and religious prophecies or denunciations, profoundly agitating to the temper of the Native



community, and more especially of that vast portion of the Native community which is powerfully influenced by Oriental traditions and totally impervious to the principles of European polity. We do not deem it necessary or advisable to dwell upon this novel and serious aspect of the situation which we have had to recognise in estimating the political effect of the increasingly seditious language of the Vernacular Press, but we trust that your Lordship will see in it a sufficient justification for the strong sense of urgency under which we have passed the present measure for restraining the utterance of seditious language. We would add that the case is not, in our opinion, altered, if the fact be, as we believe it to be in some instances, that the foolish and mischievous writings against which this Act is directed are, to a great extent, mere froth and vapour, and that the writers have no serious wish to subvert constituted authority or to bring about rebellion. The effect of such writings on many of those who read them is not the less mischievous because the motives of the writers are comparatively harmless or because they do not really mean all that they write, or clearly appreciate the practical effect of it. Like urchins who put stones on the rail in front of an express train, the mischief they do is out of all proportion to the intelligence they exercise in doing it, or the intention with which it is done.

We have, etc.,

LYTTON.

F. P. HAINES.

A. J. ARBUTHNOT.

J. STRACHEY.

E. B. JOHNSON.

W. STOKES.

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The Act met with vehement opposition at the India Council from Sir Erskine Perry, Sir William Muir, Colonel Henry Yule who expressed their dissent strongly in the following minutes. It was, however, passed by the majority and approved with two important reservations.

Extract from the Proceedings at a meeting of India Council held on 30th May 1878.

The despatch leaving the Act for the better control of publications in Oriental languages to its operation, but requesting that the Government of India will refrain from putting that part of the Act providing for a Censorship into action, taking power by fresh legislation to suspend or abandon it, if deemed necessary, was approved.

On a division being taken, the following were the members (Mr. R. A. Dalyell not voting):—

Ayes, 10.	Noes, 3.
Mr. A. Cassels.	Sir E. Perry.
Hon. E. Drummond.	„ W. Muir.
Sir B. Ellis.	Col. Yule.
„ H. Norman.	
„ F. Halliday.	
„ G. Wolseley.	
„ H. Rawlinson.	
„ W. Merewether.	
„ R. Montgomery.	

Opinions and Reasons for the same entered in the Minutes of Proceedings of the India Council, relating to the Vernacular Press Act, 1878.

I consider that the Vernacular Press Act is such a retrograde measure, so much opposed to the large and liberal policy which we have pursued in India for the last fifty years, and so likely to irritate the Natives by brandishing before them invidious distinctions of race, that I think it my duty to struggle to the utmost to get it expunged from the Statute Book.

Three questions arise upon the draft despatch giving sanction to the Act, and it is desirable to keep them distinct:—

(1) Did any urgent necessity exist for passing this measure at a single sitting?

(2) Is the Act in itself a measure that ought to remain a portion of the permanent legislation of India?

(3) Under the sanction given by the Secretary of State to the telegram of 13th March ultimo for the introduction of the Bill, is there anything to preclude the Secretary of State and Council *now* from giving full expression of opinion as to the different clauses of the measure?

I need not labour the first point, for I do not think there is a single member of Council who asserts that there was any immediate danger to the State on the 14th March last which called for the setting aside of all the wise provisions which have been devised to secure due deliberation on important measures. The Act was founded on translated extracts from the Native newspapers running over a period of eighteen months, and which from their seditious character it was thought might prove dangerous; but no immediate danger has been suggested by anyone, and therefore, in the preparation of so difficult a measure as one concerning the relations of Government with the Press, full opportunity ought to have been afforded to the non-official members of the Legislature to consider the grounds on which the Government was proceeding. Still more should the express orders of Lord Salisbury in 1874 have been complied with, *viz.*, that full and timely information of all important measures to be laid before the Council should be furnished to the Home Government. For the subject of restrictive regulations on the Press is much more a European than an Indian question; and the Council of India is a more competent body than the Council of the Governor-General to decide impartially on the restrictions that should be imposed on the free criticism of official acts. The unanimity in behalf of the present measure amongst Indian officers is much relied upon, but sensitiveness under a tropical sun to harsh, unjust and often mendacious strictures in the Press amongst zealous and comparatively young officials is no more than might be expected. Under all despotic Governments the disposition to shackle the Press has prevailed. Increased age, and experience of the little harm done by Press attacks when the measures of Government are sound in themselves, produce a more robust temperament, and a greater disposition to tolerate minor evils when they are the necessary accompaniments of larger benefits.

It will be observed also that the only two officers in high place in India who have formed their political convictions under the bracing climate of England, the Duke of Buckingham and Sir Arthur Hobhouse were strongly opposed to this measure.

The Legislative Council of India on the 14th March last consisted of 16 members, 12 of whom were officers of Government, and the remainder Government nominees, but there was only one native member present. The unanimity of Council on such a subject does not carry much weight.

But, important as is the question of procedure adopted towards this Act, it sinks into comparative insignificance by the side of the main inquiry, whether the measure is one that ought to form a part of the permanent legislation of India?

If the statute is good in itself, and is necessary for the maintenance of the public tranquillity, it would be ungenerous to Lord Lytton's Government to bring forward prominently objections to his manner of doing what is right. The statute proceeds on three main principles :—

- (1) Power to demand security from newspaper proprietors not to publish articles likely to excite disaffection.
- (2) Establishment of a censorship.
- (3) Power to seize newspaper plant, etc., etc., after warning.

The Act is thus assimilated to the procedure adopted by the two Napoleons in France, and it incorporates the very stringent provisions of the Irish Coercion Act of 1870,—a temporary measure passed to meet a temporary evil, and dropped by the present Government in 1874. But the new Indian Act omits the remedies against any abuse of authority, which the Irish statute carefully provided. It must be admitted that no imperial legislator could forge a more powerful weapon for extirpating an obnoxious Press.

Now I am not prepared to assert that no amendment of the law of India with respect to press offences is required. I cordially supported Lord Salisbury when he called the attention of the Government of India to articles in the Native Press justifying the attempted murder of Colonel Phayre by the Gaekwar. If the present law is not sufficient to meet such a

case, it ought to be strengthened. And some simple summary procedure with petty fines coupled with the exaction of moderate security from every publisher of a newspaper, would, in my opinion, be amply sufficient to correct all the abuses now brought to our notice by the Indian Government. An excellent legislative procedure is to be found in the complete success of the measure which was passed for repressing acts founded on folly and vanity like that of the boy Oxford. For what is the Native Press? What is its influence? What is its circulation? We have ample means in this office for answering these questions. I have had a return prepared which shows that the circulation of this Press is most insignificant in point of numbers. In a population of 240 millions, Dr. Birdwood calculates that the total circulation of all these papers is between a hundred and a hundred and fifty thousand. And this, be it observed, is a weekly circulation, and therefore does not equal to one-fifth part of the total weekly circulation of a single London newspaper.

The writers, for the most part, are distinguished neither by ability nor by position in society. Indeed, some of the most offensive articles have been traced to boys at school. The only native gentleman who has given an opinion (and that a very hesitating one) on the act—the Maharaja Jotindra Mohun Tagore—says “educated natives do not even know of the existence of most of these papers. It is, however, I believe, a known fact that much of this class of writing proceeds from folly and a species of braggadocio rather than anything else.” This last remark I consider to be a most just piece of criticism. By granting freedom of the Press to a population for whom we have opened for the first time the gates of knowledge, we have as it were placed edged tools in the hands of children which they are using recklessly, not knowing the danger they may cause. Sedition is not at the bottom of their movements, but ignorance. But, it is said, systematic vituperations of the Government, even if not guided by seditious motives, when addressed to the ignorant masses, may have most pernicious effects. Have they produced any such effect? This is denied in emphatic terms by the most strenuous supporters of the

Bill, Sir Ashley Eden and others. If then, as the case is, it is only a future and not a present danger that is anticipated, I maintain that the occasion has not arisen for applying such a violent and exceptionable measure as the Irish Coercion Act.

It must be observed that we are called upon, and the Legislature of India was called upon at a moment's notice, to reverse the policy which has prevailed in India for the last fifty years. No question was ever more deliberately decided, or by men of higher mark, than that of the establishment of a Free Press in India. It is a very grave question upon which statesmen may well differ. Logically there would appear to be great inconsistency in principle between a despotic Government and a Press permitted to criticise and abuse every act of Government. Some of the ablest men of India, Sir Thomas Munro for example, urged in the most forcible language in 1822 the propriety of shackling the Press. But all arguments founded on such views were fully weighed and considered by the Government of India in 1835, and the conclusion arrived at was that it was wise and expedient as well as generous to remove all restrictions from the Press, Native as well as English.

Freedom of the Press did not originate, as is sometimes supposed, under Sir Charles Metcalfe in 1835. It had grown up spontaneously under the government of Englishmen, accustomed to the expression of free thought at Home; and although many restrictions existed in Indian law for curbing the Press, they had for many years fallen into disuse.

What the Indian Government did in 1835 was this: finding that the Indian Press was practically free, and that in certain parts of India restrictive provisions existed on the statute book which enabled Government to suppress at will any obnoxious newspaper and that these provisions were never acted upon, they determined on full consideration to remove all these restrictions, and the celebrated law of 1835 was passed.

The very same arguments that are now adduced in behalf of the present legislation were brought forward then, and were deliberately overruled. It was said that although the English Press might not need a curb, the Native Press was under different conditions, and might at any time cause great danger

to the State by breathing disaffection and sedition amongst the ignorant masses.

Colonel Morison, a member of the Government of India, proposed the addition of a clause declaring that the Government will retain the power of instantly repressing any publication if it should at any time appear to risk the safety of the State.

How did the great men who then swayed the Government of India deal with these views ?

Lord Metcalfe said :—" I think that in all our legislation we ought to be very careful not to make invidious distinctions between European and Native subjects. As the proposed law now stands, it will be an act of grace, confidence and conciliation towards all, and may be expected to produce the effect which such acts are calculated to produce. But if it were alloyed by enactments indicating disaffection we would be telling them that we calculated on their disaffection, and dreaded the effect of free discussion. Before we allowed such a course, we ought, I conceive, to wait for proof that it is necessary. The Native Press has for years been as free as the European, and I am not aware that any evil has ensued. It is not certain that the effect of free discussion on the minds of the Natives must be wholly and solely bad. It may in many respects be otherwise. It may remove erroneous and substitute just impressions. Along with equal legislation and the establishment of equal rights, it may serve to promote union with them. \* \* \* \* \* Disaffection and sedition will operate, I believe, with more concealed weapons than an open and free Press, under the guidance of responsible persons amenable to the laws,—from which I do not apprehend that we have anything to fear, unless we must necessarily fear the progress of knowledge. But, do what we will, we cannot prevent the progress of knowledge, *and it is undoubtedly our duty to promote it whatever be the consequences.*

" I am therefore of opinion that any restraint on the Native Press beyond what is imposed on the European would be injudicious, and any restraint on either beyond that of the laws is not requisite."

Again, "if restrictions should be necessary to ward off danger from the State, they may be imposed and enforced instantaneously." "But the existing restrictions" (though less stringent than those of the new Press law) "have room for the exercise of caprice on the part of the Governments in India. One Council or one Governor may be for leaving the Press free, another may be for restraining it. \* \* \* \* Any one connected with the Press might be any day subjected to arbitrary and tyrannical power."

What said Lord Macaulay as to the necessity of retaining on the Statute Book arbitrary powers to fetter the Press ?

"If peculiar circumstances should arise there will not be the smallest difficulty in providing measures adapted to the emergency. No Government in the world is better provided with the means of meeting extraordinary dangers by extraordinary precautions. \* \* \* \* Possessing, as we do, the unquestionable power to interfere, whenever the safety of the State may require it, with overwhelming rapidity and energy, we surely ought not in quiet times to be constantly keeping the offensive forms and ceremonial of despotism before the eyes of those whom, nevertheless, we permit to enjoy the substance of freedom."

These arguments prevailed over the fears entertained at the time by Mr. Thoby Prinsep and Colonel Morison and the Government of India were unanimous in passing the Act which established the freedom of the Press in India.

I should only weaken the force of these arguments if I attempted to add to them ; and I only wish that space would have allowed me to set out these valuable minutes *in extenso*.

But it will naturally be asked, what has occurred during the last 35 years since these observations were made ? What has been the result of this grand experiment ? I maintain, unhesitatingly, having watched it for more than 30 years, that good has greatly preponderated over evil. The preamble to this new Statute states that the Native newspapers contain matter likely to excite disaffection, and the Act therefore was necessary to maintain public tranquillity. But the framers of the measure of 1835 clearly contemplated that danger to the



State might ensure from seditious writing in the Press. And what was the remedy they proposed? Instantaneous action on the part of the State. But they condemned, in the forcible terms I have quoted above, the retention on the Statute Book of any such permanent legislation as the Act now before us.

If then any danger did exist at the present time from the excesses of the Press, I should willingly assent to the course indicated by Sir Charles Metcalfe and Lord Macaulay—a course adopted by Lord Canning during the Mutiny, and always pursued in similar cases by the British Government; but I should condemn unhesitatingly an enactment that held out astounding menace to every writer who might excite the displeasure of Government.

I have not the slightest fear of Lord Lytton using the despotic powers conferred by this Act improperly. On the contrary, I have never known a Governor-General animated by more liberal principles in behalf of the advancement of Natives and the promotion of knowledge; and I know personally that for two years past Lord Lytton has been occupied in elaborating a great measure which, I humbly think, is the only basis for continued good government in the future, namely, the association of Natives with ourselves in high office under the State.\*

But I say with Lord Metcalfe, I know not what Governor-General may succeed Lord Lytton. I have personal reasons for knowing what action a Governor-General may take when armed with despotic power, if a newspaper article displeases him. I have been induced by the present inquiry to look back into Hansard; and I find in 33 Parliamentary History, 1313, an example of a Governor-General being so horror-struck<sup>1</sup> with a harmless squib that appeared in a London paper, that he succeeded in persuading the House of Lords to commit the poor printer and proprietor to Newgate for three calendar months and to fine them £50 each. The newspaper was the *Morning Chronicle* and the editor was my father.

The case, in my opinion, for a stringent Press Act, completely breaks down; and although I have arrived from long

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\* Well-known as Lord Lytton's Statutory Civil Service which was condemned by the Indian Public Service Commission.

experience at the conclusion that the abuses of the Press are best corrected by the Press itself, and that it is generally wise on the part of Government to abstain from any crusade against it, I am ready to admit that a more simple remedy than that afforded by the present article in the Penal Code may be required. It is not an easy task to frame such a law, for the principle offensiveness of the Native Press consists, as the Duke of Buckingham\* has well pointed out, in their statements of unpalatable truths in strong language. Still, no doubt, a satisfactory measure could be passed, after full communication between the Home Government and India.

But the immediate practical question for the Council is, what should be done now?

I believe that many of my colleagues may agree with much that I have said; but they may think that after Lord Salisbury gave his assent by telegram on the 13th March to the introduction of this measure on the following day, his Lordship, and much more his successor in office, is precluded from expressing any dissent from the main principles of the Bill. If this were so, it would be another and most glaring example of the evils of governing India by telegraphic communications between the Viceroy and the Secretary of State. For what does it amount to? A retrograde and ill-conceived measure, injurious to the future progress of India and inconsistent with all our past policy, is to be allowed to remain permanently on the statute book, because at a moment of supposed urgency, when no consideration of subject was possible, the assent of the Secretary of State was, as I may say, extorted by telegraph. It is impossible, in my opinion, for any Secretary of State to withhold assent from any action that the local authorities on the spot may deem urgently necessary for the safety of the State; and Lord Salisbury could not do so on the 13th March last. Now that the whole case is before us and that we are given a full opportunity for considering what the true interest of India and the generous principles laid down by our great predecessors require, I maintain that the decision of the Secretary of State should be passed solely with reference to these considerations.

\* His Grace, then Governor of Madras, expressed this opinion in response to the Viceroy's minute, dated 22nd October 1877.

When the Governor-General stated that the increasing sedition of the Press was distinctly provoking to rebellion, and that at that moment the Vernacular Press was specially dangerous, who could tell in this office or in this country what emergency was at hand, what insurrection was on the point of breaking out? No one would have been justified in advising the Secretary of State to withhold his assent at such a moment of possible danger. When the telegram of the 13th March arrived in this country, Lord Salisbury circulated it amongst such members of Council as were at office. Only two remarks were made, the one highly approving of the measure, the other suggesting that the application of Napoleonic Press laws to India required grave consideration.

It appears to me to be quite open to the Secretary of State to say now, when it is apparent, that there is no pressing danger to be apprehended, that the Act ought not to remain permanently on the statute book ; and that as legislation must be resorted to in order to extinguish the censorship created by the present law, opportunity should be taken in communication with the Home Government to frame a Press Law of less stringency.

I have argued this case with great earnestness, because I consider that this enactment will not only be most unpopular with the natives of India, but that it is a decided step backwards in the large and liberal policy which we have deliberately adopted as our system of Government. Conscious of the rectitude of our intentions and strong in the possession of our power, although the forms of constitutionalism do not and cannot exist under an Asiatic Government, we concede to every dweller under our rule the greatest boon that civilised man can possess, the power of freely expressing his opinions. This boon is thoroughly appreciated by the inhabitants of India. It is also of inestimable benefit to ourselves ; for, ignorant as we are, and necessarily must be, of much that is seething in the native mind, of suffering that our most carefully devised institutions may cause, of grievances never uttered to official ears, an unshackled Native Press, with all its shortcomings and all its imperfections, is the only vehicle for affording the information so indispensable to good government.

It is, in my opinion, the duty of a member of Council, who entertains such strong convictions on the subject as I do, fully to express them even to weariness. For I must observe, in conclusion, that the principal danger in our Government of India appears to me to arise from the instability of our policy.

We are governing the most conservative people in the world, and we are continually irritating them with sudden changes.

The hastiness with which decisions are arrived at without the least reference to former deliberations and decisions is amazing. Power over Indian institutions is vested in the hands of one man, or of two or three men, and a telegraphic communication between the Viceroy and the Secretary of State may change in a single day, as we see in the present case, the policy that has prevailed for half a century. But the holders of power in India are a very transitory body ; there is a complete change of administration every five years. In this country the average tenure of office by a Secretary of State does not amount to three years. In the 20 years that have elapsed since the passing of the Act of 1858 we have had at least seven Secretaries of State. It is only in some body like the Council of India that any stability of purpose, or knowledge of the past policy of Government can be found. The constitution of the Council was, in my opinion, much weakened by the 32 and 33 Victoria, c. 97, which passed through Parliament without discussion ; but it still remains as a body of independent and experienced men entirely removed from the sphere of party politics who are enabled to devote their whole lives to the very difficult problem of the Government of India and to speak out what they believe to be the truth.

E. PERRY.

*30th May 1878.*

#### DESPATCH ON THE PRESS LAW.

I dissent from this despatch, because it does not sufficiently express disapproval of certain provisions on the Press Act.

In the first place, a despotic law of the kind is only to be justified by some imminent risk or danger (as in 1857), and

then only as an exceptional and temporary measure. No ground is shown for the apprehension at the present time of any such danger. India was never quieter or more secure; and, even under the pressure of new taxation, was never more amenable to the Imperial power. The Eastern question only served to evoke manifestations of dislike towards Russia; and even our unfortunate relations of late with Caubool failed to elicit sympathy with the Ameer. There was absolute tranquillity throughout the land. The thunderbolt startled the nation, falling as it did on the Press from a serene and cloudless sky.

The evils apprehended from the Press are all prospective and possible, nothing more; not present, actual, imminent. So says Sir Ashley Eden, a staunch advocate of the measure:—

“The Vernacular Press had no standing or influence on native society; no one believed it, no one trusted it, no one was led by it.”—*Durbar speech.*

“There was no sympathy between the people and the Press.”—*Demi-official letter to Viceroy.*

“Although the Vernacular papers in Bengal do not represent native opinion, they have many of them a large circulation, and by constantly publishing wilful and deliberate falsehoods regarding the acts and motives of Government, they will sooner or later, do much harm.”—*Letter dated 16th February 1878.*

Dr. Thornton (Punjab Representative) in his speech, “confidently asserts that the writers of the seditious articles, of which we complain, no more represent the real feelings of the people than Dr. Kenealy may be said to represent the true sentiments of Englishmen.”—*Speech in Council.*

So also Mr. Bazett Colvin (Representative from the North-Western Provinces) said:—

“The Native Press has, perhaps, nowhere allowed itself greater license than in that part of the country in which I have been employed. A portion of that Press has hitherto applied its powers to little beyond inculcating hatred and distrust of the existing Government, to fostering class animosities, and to attacking (often, I fear, from no very worthy motives)

public and private individuals. It is fortunate that its influence is not equal to its ill-will, as the number of people who read newspapers in the North-Western Provinces is still very small." \*—*Speech in Council.*

In fact nothing is more frequently or emphatically reiterated throughout the evidence than the impotence of the Press, even where it is most strongly characterised by misrepresentation and disloyalty. When then this sudden scare? and why this telegram of danger which induced the Secretary of State, without the opportunity of even consulting his Council in one single day, to sanction a measure reversing the policy of 40 years?

Had any reasonable presumption of danger been established, no one could have objected to a law of even greater stringency, but then it should have been exceptionable, and enacted only for a time.

In its normal condition, and as such at the present time, the Government of India stands in little need of such despotic power. The Press no doubt is often puerile, and sometimes (in a political sense) licentious. Its attacks upon the Government have been frequently characterised by unscrupulous perversion of truth, and in the last five years (especially in the Bombay Presidency) sometimes by articles of downright disloyalty.

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\* My own experience, as for many years, while Lieutenant-Governor, a daily reader of these same papers, is very different, and so is the evidence of the early Administrative Reports of the North-Western Provinces. I quote that for 1871. "The intellectual progress resulting from reading these papers is not in itself unimportant. There is, as a rule, in the Native Papers nothing offensive to morality or good taste; and there is much, both in the original matter, and still more in what is taken from the English press, that must be improving and enlightening to the reader."

So in 1873. "As a rule the tone of the Native Press is fair and loyal. \* \* \* There are indications of the beginning of what may hereafter grow into a healthy public opinion."

Again in the report for 1873-74 (compiled under Sir J. Strachey), published in 1875, we have the following testimony in favour of the Press:—

"On the whole the Native Press of the North-Western Provinces exerts an influence for good. Sir W. Muir acknowledged the assistance which Government has not infrequently received in the detection of faults and correction of abuses." "It must also be added that the Native Press in the North-Western Provinces is almost always on the side of loyalty and morality."

The subsequent annual reports up to the present time contain no remarks in abatement of this favourable opinion. I acknowledge thankfully the aid which for six years I received from the Native Press in the administration of the North-Western Provinces, an aid which it would be vain to look for under the new régime, from a dependent press afraid to speak out plain and unpalatable truths.

There must be a limit to such hurtful misrepresentation, and I quite agree with Sir George Campbell that the Government should have in its hand a more certain and summary curb. For this end, the demand of security may be a reasonable and salutary measure. But the power of forfeiture and still more the closure of a press, instead of being left to the arbitrary fiat of the executive, should be confided to an independent tribunal. There is no excuse for constituting Government the final and irresponsible judge in its own case. Without going this length, it would have been easy to improve the law ; to have laid down the limits of legitimate discussion, and constituted a judicial referee or court, which, after opportunity given the accused for explanation, should have been empowered to decide whether those limits had been transgressed. A short and effective procedure would have obviated the *eclat* and other evils of protracted trial. And all this might have been accomplished by constitutional checks, without impairing the reasonable liberties and independence of the Press.

Nothing of the kind has been done. A Gordian knot has been rudely cut ; and the Press, reduced to absolute subservience, is thus shorn of its virtue as an independent organ for the exposure of abuses, the discussion of remedial measures, and the setting forth of native feeling. However carefully watched by the Supreme Government, the attitude of the local authorities, wherever impatient and nettled by personal strictures, or intolerant of native sentiment and prejudice, will suffice to crush by anticipation free writing, and thus emasculate the press. I submit that, with the view of promoting enlightenment and progress, creating a healthy public opinion, interesting the people in matters of internal administration, and thus of gradually educating them to self-government in their own affairs, it is for the good of the British Government no less than for the well-being of the people, to foster a free and independent press. The Government has deliberately cast aside a valuable help, and the most effective means for elevating and strengthening the national mind.

A further, and to my mind a fatal objection, is that a law which fetters the Native and exempts the English Press, is

based on hurtful principles. The distinction is invidious, because tending to, perpetuate the sentiment already (rightly or wrongly) felt, that our administration is partial and exemptive of the European. It is gratuitous, for any measure needed in respect of the native papers is at least equally needed in respect of the English. The Native Press (as shown by the evidence now before the Council) is little heeded, its information and authority being notoriously slender and imperfect. The English papers, as the organs of the ruling class, are clothed with authority, because their utterances are supposed to emanate from persons well informed, and to some extent at least behind the scenes. Wild and incautious statements, and discontented representations, are, therefore, doubly dangerous when made in an English paper, or copied therefrom into a native paper. More suspicion, jealousy and distrust, especially at native courts in India and on its borders, and more injury to the British Government, may thus be caused by a single incautious article in an English newspaper, than by the whole Native Press together. I could name many instances, if it were expedient to do so. An able and experienced officer, Mr. Jones, Commissioner of Hyderabad, says :—

“It would not be difficult to adduce from leading English papers, articles far more likely, in my judgment at least, to imperil our rule, than anything any native editor ever wrote. Native Chiefs must be, and are, most sensitive to charges of disloyalty and threats of steps to be taken on behalf of British interests.”

Again, not only in our own territories, but also in Native States, the study of English is spreading like wild fire. Confined to no class, it embraces the partially enlightened as well as those who have advanced to higher scholarship. And if there did exist danger among the ignorant classes, from the spread of political discussion, it would be precisely among the growing body which, with a smattering of knowledge, are readers of the English and Anglo-Indian papers. Whatever force lies in the distinction drawn between the danger apprehended from those who read English and those who read only Native papers, the



distinction itself, especially at the great political centres, is daily diminishing, and the legislation built upon it cannot be maintained in permanence. Are we then to close our schools and colleges, and retrace our steps into the security of ignorance? Those are at any rate logical in their reasoning who support the new legislation (as has in fact been done by a high functionary in the correspondence now before the Council) on the ground that "we have already gone too far in the direction of so-called progress" and that "we have carried State education too far." Men who write thus are at least consistent in their advocacy of this Act. But such happily is not the policy of the Government of India, with its grand traditions of a Thomason and Canning. How can we then with one hand encourage education and the spread of knowledge, and with the other deliberately close the openings which admit the light? At any rate as English is fast becoming the *lingua franca* at the centres of political life, we must perforce yield to the conclusion that whatever precautions may be deemed necessary in respect of the Native Press are equally required for the English.

I think that if such considerations had been presented to the Government of India, we might reasonably have expected that they would have seen their way to the enactment of a more liberal and equal law; a law which while giving ample power to curb the Press, should have done so without reducing it, in times of peace and tranquillity, to be the mere creature of Government, subsisting at its word and will.

It may be said that these opinions are not to be put in competition with those of men immediately responsible for the peace of India, who are watching the prognostications all around them, and have their hand on the helm of the State. I can only reply that I held the same views when a Member of Lord Northbrook's cabinet; and on the issue being raised at a time when Government was attacked, during the Baroda trial, with greater virulence and misrepresentation than at any subsequent period, that I then stood by them in my place in the Governor-General's Council.

In conclusion, I must add that the time selected for this measure is singularly inopportune. I have been told by one who has conversed with them, that the administrators of Central Asia were puzzled by our free press in India which was in fact a standing proof of our confidence in the people. We have now, in abolishing it, cast a slight upon our own administration, and created the impression that we distrust our native subjects, just at the moment when our free and equal laws, and our reliance on the loyalty of India under them, might well have been our special boast. When we were on the point of paying that loyalty the highest tribute in our power, by calling on the Native soldiery to stand side by side with our own in the defence of British interests and maintenance in the south of Asia of the Queen's supremacy, that very moment has been chosen at the time to introduce the arbitrary rule of Central Asia.

W. MUIR.

*30th May 1878.*

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There is much that is good in the tone and sentiments of the Despatch, but I cannot accept it as adequate in regard to the substance of the measure, whilst it quite passes over the singular manner in which the Act was carried through.

Doubtless early action in check to the seditious tone of a part of the Native Press was necessary, and experience might have proved such action to demand a modification of the law.

This is not a modification of the law. It is a suspension of the law. Martial law has been defined by a high authority to be the will of the General Commanding. The Press law under this Act is practically the will of the Governor-General.

The Viceroy urges that persons who regard the policy of this law as retrograde will be uninformed as to the facts and without knowledge of the people.

The members of this Council can hardly be so characterised. Whatever individual members may think of the necessity of the Act, is there one who doubts it being retrograde?

Let us at least get rid of disguises. They are so rife in these papers that their existence alone would suffice to raise

doubts of the quality of the measure, were that otherwise less disputable; *e.g.*, we are told that the object of the Government is not punishment but prevention. Does our law hang then because the Legislature likes people to be hanged?

Again, we are told that the new Act does not touch the liberty of the press, but only the license of the press. The speeches in this tone at the Legislative Council in support of the Bill contain hardly anything that might not have been honestly adopted by an Austrian governor of Lombardy, *i.e.*, by an agent of a Government that was intolerable to the best class of its subjects.

There are two decent ways of governing a dependency like India.

There is the Dutch way; anyhow as it used to be when I saw it. This looks first of all to the remittance home of an ample surplus; it cares little or nothing for what we call moral progress among the people; they are by no means illtreated, but are treated as children, or as the serfs of tolerably good natured lord; there is never a pretence of letting them forget that they are the conquered race. Politeness to the white man and sometimes hospitality are exacted, tidiness of cottages and fences is enforced. It is not a bad system as it impresses a stranger. Our own results are apt to impress him by no means so favourably. Yet our ideal at least is the nobler one. Like most things English, it has grown out of a strange compost of events and influences; but the result has been for many years past a Government as sincere and zealous in its desire for the benefit, progress and enlightenment of the people who have been committed to its rule, as ever existed on the face of the earth; a Government which has steadfastly (in the apt phraseology of the Despatch) sought to confer benefits upon Her Majesty's subjects in India by the establishment of institutions more or less resembling those of this country. This has been our course, say roughly, since the renewal of the Company's Charter in 1814 or at any rate for half a century past. It is a rash and questionable thing suddenly to change this course. It is too late to take up the Dutch system; and if we are going to try a little of both grief only can befall us.

It is vain to say as we have heard it said, that this measure will leave you all the good of a free Press without the evils. That is not in the nature of things. If it becomes really a question between a free Press and our hold of India, I am certainly not going to say "Perish India"! but quite the opposite. There has, however, been no proof that the alternative is before us now. If the time is to be called a time of crisis in India, because of the Russo-Turkish War, you will never again be out of "crisis." A new network of sensitive electric nerves is spreading over the face of the earth. We shall never again have peace in the sense of the past.

Most of the offensive paragraphs quoted by the Government of India are indeed very unpleasant reading. But a considerable portion of these are only, as the Duke of Buckingham has said, the utterance of unpalatable truths in strong language. It is not good for us that the utterance of those truths should be suppressed. It has been said in this discussion that a free Press is the correlative of a Parliament and that the one has no possible root without the other. If there is an element of truth in this, there is at least as much in the view that a free Press may be the needful substitute for a Parliament where a Parliament is impossible.

Some, again, of the passages cited are really, as the Despatch says, intolerable; full of spiteful and seditious falsehood; and, if they have no deeper root of malignity are at least, according to Lord Lytton's happy comparison, like the acts of mischievous urchins who lay stones on the rails before a train. But the freedom of the Press would be an absurdity in any country if it were inconsistent with the restraint and punishment of such utterances. There is a just distinction between the Liberty of the Press and License. But what some supporters of the Act, both in India and in the Council seem to me to have overlooked is that the line between these must be drawn by *Law*, and its transgression judged by a regularly constituted Court. Where the judgment is arbitrary, and in the hands of the executive, it is idle to talk of Liberty of the Press. If the law as it exists prove unworkable, let it be amended. No one here has supported

the view that the only course open to the Government was this sudden and undebated countermarch of the whole course of British policy in regard to this important matter.

I now desire to say something as to the manner in which the Act has been passed. Allusion is made in the papers to the exhaustive discussion which the measure had undergone. I find no such exhaustive discussion in the proceedings of the Legislative Council. The votes and opinions there recorded are all on one side, and unanimous in favour of the measure. I can only marvel at this unanimity in the discussion of a question, not only of great moment, but of admitted difficulty, and the issue of which was to be a reversal of the policy of half a century. There is certainly no such unanimity at the Council table here on this question !

And surely if ever there was a case—not a financial one—which demanded calm review by a distant authority, this was such a one. There was no real crisis. In a time of pressing danger, interference would be much to be condemned. The pilot should be left to himself, receiving no orders, with as little advice, and as much help as possible. But apart from such a time, a matter like the present is precisely one in which it is very possible for those on the spot to misjudge the perspective of facts. To change the policy of several generations on a matter so important without full deliberation in form, and without giving ample time for consideration by the Secretary of State in Council, would need the clearest of reasons in justification. We should have expected at least one good reason. In lieu there are three reasons alleged, but I cannot think that there is a good one among them.

In the Legislative Council, the member who introduced the measure said that "the ordinary process would have been inexpedient on the ground that it might have given rise to agitation, and during the period which have been occupied in passing the Bill, might not improbably have intensified the evils which the measure is intended to repress."

In the Despatch from the Government of India haste is justified by "the excited state of the Indian bazaars, in consequence of the war in Turkey."

In H. E. the Viceroy's telegram, the Secretary of State was told that if legislation did not take place immediately, it would not be carried out this year ; for, although Government would not break up so soon, the Viceroy himself was obliged to leave Calcutta on the 18th March, and they cannot legislate on such a matter at Simla. "We have accordingly," H. E. says, "prepared a Bill and I propose to pass it at a single sitting on the plea of urgency, which is not fictitious, afterwards reporting to you our proceedings in detail."

Here let me remark by the way, that even if one or all of these reasons were adequate (which cannot be admitted) for suppressing the ordinary intervals between the reading of a Bill, they have no bearing whatever on the still more serious suppression of all confidential discussion of this grave question with the Secretary of State in Council for the space of two years\* during which the proposed measure was under consideration by the Government of India.

But, further, in the proceedings of the Legislative Council remark is made by one speaker on the extreme shortness of the notice given to the non-official members, even as to the intentions to bring in such a Bill, as well as on the very scanty interval afforded for considering its provisions.

Moreover, when the Viceroy's minute and other important papers were circulated to the Provincial Governments, it would seem that Sir Arthur Hobhouse's very able minute in deprecation of such a measure as has now been passed was not communicated to them. This very likely may have been oversight, owing to intermediate occurrences. But the general impression produced by the facts is that it was not so much agitation of the public mind that the Government of India desired to avoid ; it was independent discussion.

The measure, then† I urge in conclusion is not good in itself : that is to say, it is a suspension of law, and a revolution in policy, without proof, without trial, whether the ordinary process of law, with or without amendment would suffice to check

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\* Sir A. Hobhouse's minute is dated August 1876.

† This dissent deals only with the measure as it affects publications to which a seditious or disloyal tone is ascribed. The treatment of personal libel or menace is not the important branch of the subject, nor is it that which moved the Government of India in its course of action.

the pernicious tone adopted by certain native papers. And the measure assumes an aspect which still less commends itself, in the light of the unusual circumstances which have attended its enactment ; circumstances calculated to bar discussion, even in this Council, till too late.

It has been said in Council that to veto the Act would be fraught with political danger. No one of those members who have expressed disapproval of the measure has suggested such a step. It is impossible ; the deliberate action of the Government of India has left no choice, no power to counsel rejection, where eminently there ought to have been such choice and power. We have indeed been placed in a difficulty by the assent which Lord Salisbury, under pressure and urgency of the Viceroy's telegram of 14th March, accorded by telegraph ; but the difficulty arises from no act of ours. Even in this position of affairs, some of us ventured to think that the Despatch without going back from Lord Salisbury's assent, might have noticed more distinctly the singularity of the course taken in the presentation of the measure, might have been still more cold in its review of the measure itself, and might have suggested a positive limit of time to its operation, a modification which might have been introduced along with that as to the censorship which Lord Cranbrook's draft actually enjoins.

One word more. History will easily afford instances of privileges such as are in question, too hastily conceded ; perhaps the older history of this very matter of the Indian Press affords one of these. But there are also abundant examples of the deplorable consequences of attempts to retract such privileges after they had been conceded. And I cannot remember any instance in which a Government making such a retraction has not in the end had cause to rue it.

*31st May 1878.*

H. YULE.

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I desire to place on record my reasons for not voting in regard to this Despatch. Though I am of opinion that the Act is in many respects objectionable, that the period selected for bringing it forward was unfortunate, and that exceptional course adopted in passing the Bill through the Legislative Council in Calcutta was unnecessary, I did not think that the

merits of the measure were any longer a proper subject of discussion, as the sanction of the Secretary of State had been obtained, by telegraph, before the Bill had been brought forward. I was not, therefore, prepared to agree with such a modification of the draft despatch as that suggested by Sir Erskine Perry, but I felt that in confirming the sanction which had been already accorded to the measure it would in my humble judgment, be very desirable to allude to the unnecessary suspension of the standing orders of the Indian Legislature which had taken place. As I believed that this was also the general feeling of the Council, I ventured to suggest that it should be put to the vote whether a paragraph in this sense, should be added to the draft despatch. As the only vote taken was whether the despatch, in its present shape, should pass or not, I refrained from voting.

*4th June 1878.*

R. A. DALYELL.

For the above adverse comments the Secretary of State for India, Viscount Cranbrook, made the following two amendments in the Act in his Despatch No. 24 (Legislative) dated 31st May 1878 :—

9. I entertain very grave doubts of the expediency of putting into action the portion of the Act which enables, and indeed, encourages, the publishers of Vernacular newspapers to withdraw themselves from its restrictive provisions by submitting their proofs to a Government officer. In India the difficulty of executing it would be unusually great. The Vernacular newspapers are printed in a great variety of languages; no one officer could probably superintend them with effect. Every person charged with the duty of supervision must be acquainted with the niceties of Native dialect, and most of these persons would probably have to be Natives of the country. Such a system might give rise to great abuses. It is defended, I observe, in the Statement of Objects and Reasons, on the ground of the hardship which the requirement of a bond and of the deposit of security might inflict on some of the owners of Vernacular journals; but it seems to me that those provisions of the Act might be accommodated to the circumstances of each newspaper. The



difficulties of establishing Government newspapers in the Vernacular tongues were much dwelt upon in the debate in your Council, and I fully appreciate them, but I cannot but see that any censor of proofs will in fact write the newspaper which he revises. Her Majesty's Government requests that you will refrain from putting this part of the Act into operation, taking power, by fresh legislation, to suspend or abandon it, if you deem this necessary.

10. I wish to record, further my opinion, which I believe to be in accordance with that of your Excellency, that the principles laid down in the section of the Penal Code quoted above, should be substantially adhered to in carrying out the provisions of the new Act. No criticism of Government or its measures should be discouraged if there is reason to think that it has been dictated by an honest desire for improvement. All the most experienced Indian administrators have felt that the great difficulty of Indian administration is the difficulty of ascertaining facts of social condition and political sentiment; and the Vernacular Press has always been considered one valuable means of getting at these facts, as is shown by the careful attention given by your Excellency's Government, by that of your predecessors, and by this Office, to the translated extracts from Native newspapers which are regularly supplied to you. Open or covert exhortations to disaffection cannot be allowed to be addressed to an excitable population, but mere-censure of the officers or of the measures of Government, even if captious, ought not to be repelled. I agree with your Excellency, that there is some danger of the Native Press being employed as an engine of extortion, and that this abuse should be prevented, but neither European nor Native officials should be encouraged to exhibit too great sensitiveness, even unreasonable blame.

The portion of the Act objected to by the Secretary of State for India was repealed by Act XVI of 1878 on the 16th October. The Act was at once put in force, and owing to misunderstanding bonds were demanded on retrospective grounds from some newspapers in Bengal. Proceedings were taken against the

*Somaprakash*\* newspaper for publishing seditious matter, and a bond was demanded from its printer under the Act. The action was taken by the Magistrate of the 24 Parganas under the orders of the Bengal Government who were set in motion by the Government of India. The printer executed the bond, but subsequently stopped the issue of that paper and started the

\* Pandit Sivanath Sastri, M.A. writes thus in the *Modern Review* of September 1910:—"Pandit Dwarka Nath Vidyabhusan's paper the *Somaprakash* next after the *Hindu Patriot* of Kristo Das Pal, was the most influential in this province (Bengal) remarkable alike for its literary excellence and the dignity and loftiness of its tone. In the year 1859, my uncle and Pandit Iswar Chandra Vidyasagar conjointly started the *Somaprakash* in Calcutta. Within a few years after the opening of the Eastern Bengal State Railway, my uncle gave up his Calcutta residence and removed to his village home at Changripota, where he established his paper and his press and began to attend the Sanskrit College (where he was either Assistant Secretary or a Professor of Sanskrit Literature) as a daily passenger. He gave the day to his college duties and his studies, night he reserved for his work in connection with his paper and for such studies as that work required. He would shut himself in his study after his return from Calcutta, till a late hour in the night going through files of papers or writing articles for his journal. On many occasions I saw him writing or reading till 11 or 12 P.M. till the whole family had retired to rest and often times waking early, say at 5 A.M. I found him writing or reading his papers. I do not remember a single hour when I found my uncle idly talking or not doing his duty; nor do I remember of ever having found him sleeping. He would often say the thing he abhorred with his whole heart was idleness.

"He had a sub-editor for his paper who compiled weekly news, revised the letters of correspondents and helped him in seeing the paper through the press on Sunday. But my uncle alone had the charge of writing the articles. These *Somaprakash* articles, as every one who remembers them will agree with me in thinking were characteristic ones. The tone was earnest and convincing, and the language was chaste and idiomatic. Many regularly read the paper for its elevated tone and language, but I think its greatest charm was the earnestness of conviction with which every line was written. He never wrote anything for show or to please anybody. He threw himself heart and soul into the cause he advocated and dared meet every displeasure. It was the man behind the paper that was its greatest attraction and not what was written therein. Hence was the great influence of the *Somaprakash* both in official circles as well as amongst our countrymen.

"One instance of the wholeheartedness with which the *Somaprakash* was edited is worthy of note. Of the many social abuses that called forth my uncle's voice of condemnation, there was one in which his own community of Brahmins was specially implicated. It was the custom that prevailed among *Kulin Vaidic* Brahmins of his class, of affiancing little babies for marriage. I cannot say how that custom first originated. But in point of fact it is prevalent amongst our class of Brahmins even now. I was engaged, for instance, when a year or two-year old boy to a baby girl of two or three months. In the columns of his paper my uncle came down upon that custom in right earnest and tried to rouse his fellow-religionists against it. He partly succeeded; many of his own class came to form strong convictions against it. But the persistence and energy with which my uncle wrote against it were characteristic. His paper became partly unpopular amongst his general readers for the time and attention he bestowed on a comparatively sectional subject. But the suppression of that custom so prominently occupied his attention that he could not rest, as it were, until something had been done for its reform. At last he decided to show the way by discontinuing the practice

*Nababibhakar* in its place. On the 8th April 1878 Mr. C. T. Metcalfe, officiating Commissioner of Police, called upon the printer and publisher of the *Sahachar* newspaper to enter into a bail bond of Rs 500. The printer refused to do so and stopped the paper from Monday the 15th April 1878.

But these measures taken on retrospective grounds were soon after cancelled by the Lieutenant-Governor, as the attention of the Secretary of State for India was drawn to them, who immediately communicated with the Viceroy by wire. Henceforth no action was, in any case, allowed to be taken by the Local Governments and Administrations without previous sanction of the Government of India.

S. C. SANIAL.

(To be continuea.)

in the case of his own children. He allowed his sons to grow up unaffianced, in the face of strong social condemnation. That shows the strength of conviction with which he wrote the *Somaprakash*."

In 1872 Pandit Dwarkanath Vidyabhusan's health failed and his nephew Pandit Sivanth Sastri, went and settled down at Harinavi in the neighbourhood of Changripota the place where his uncle's school was situated. "My uncle made me the secretary and head-master of his school, the editor of his paper and the manager of his domestic and other affairs and went to the North-Western Provinces, for a change. I was at Harinavi for more than one and half years, during which period my health also went down owing to the prevalence of malarious fever in the villages, and I was obliged to accept the Head-Mastership of the South Suburban School at Bhowanipur, whither also I removed my uncle's press and paper for more convenient management. Here my uncle returned in 1876 after his change and resumed his work relieving me of my duties.

"During his stay here Lord Lytton's Vernacular Press Act was passed, and as a mark of his displeasure and disgust my uncle stopped the *Somaprakash*, considering it more honourable to discontinue the paper than to abide by the degrading condition imposed by the new law. Sir Ashley Eden, the Lieutenant-Governor of the time, looked upon the discontinuance of the *Somaprakash* as a public calamity and invited my uncle to a private interview during the course of which he used all his influence to persuade him to resume the publication of his paper. It was chiefly through his earnest request, I think, that my uncle revived the paper. But the old zeal was gone and it began to decline from that time in the earnestness of its tone and the straightforwardness of its views; one cause of this, perhaps, was that owing to growing age and decline of health my uncle had to leave much of his work to paid assistants. After his return, in addition to conducting the paper, my uncle began to publish a monthly journal called *Kalpadruma* which soon attracted the notice of the educated classes of the country. My uncle went on working. He died in harness (in 1886) so to say, laying down his life with his pen. His descendants subsequently discontinued the *Kalpadruma* and sold off the *Somaprakash*."

#### Art. IV.—RAJA PRATAPDITYA.

MR. WESTLAND in writing of the history of Raja Pratapditya in his excellent "Reports on the District of Jessore" begins thus: "Rajah Vikramaditya was one of the Chief Ministers at the Court of Gaur during the time of King Daud, the last sovereign of Bengal."\* Daud referred to here was the last of the Kirani Kings of Bengal who lost his life and possessions in his quarrel with the great Akbar. This Daud had with him two Bengalis whom he favoured greatly and who were in fact "the right" and "the left hands" of the Kirani King. One of these, Sridhar, was vested with the title of Maharaja Vikramaditya—referred to by Mr. Westland—and the other, who was Sridhar or Maharaja Vikramaditya's cousin, was made Raja Basanta Roy. In history, the two cousins are better known by their titles than by their real names.

On his accession in 1573, Daud found himself immensely rich and powerful. His treasury was full, his infantry exceeded one lakh and forty millions, 20,000 pieces of cannon were at his disposal; 3,600 elephants served him and he had over and above these things a navy consisting of several hundred war boats. He at once assumed the *khutbeh*, thus setting at defiance the authority of the great Mogul, began to coin money, and thus brought upon himself the dire destruction which he was seeking after.

But all his hopes were soon frustrated. When the Mogul soldiers attacked Patna in 1574, Daud fled

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\* *Vide* Stewart's history of Bengal, section V. Stewart however does not mention the rebellion of Pratapditya.

with his family while his valuables and treasures were placed with Maharaja Vikramaditya, who followed the fortunes of his master. Unfortunately for Daud\* these treasures never reached him and ultimately they reached Jessore. As Mr. Westland observes "Vikram took with him so much of the wealth and adornment of Gaur that the splendour of the royal city was transferred to Jessore "the depriver† of glory." (Jasha, *i.e.*, glory, and *hara*—*i.e.*, depriver).

After the fall and death of Daud, Vikramaditya and Basanta Roy had to play the game of "hide and seek." Todarmal, the great general of Akbar, however, needed their services badly. Both these cousins were intimate with the affairs of the province, and soon Todarmal had not only to pardon them, but to receive them in favour. They came to Raja Todarmal and made over the papers to him. Todarmal pressed them to take service under Akbar, but the cousins did not relish the idea and probably were thinking of returning to Jessore and settling there permanently. At any rate, Todarmal, who was greatly benefited for having received the papers, intended to reward them who prayed for a *Firman* from the Emperor through Todarmal investing them with the rights of Jessore. This was accordingly done. A revenue to be paid to the Mogul Emperors was fixed and the cousins returned to Jessore to add to and embellish their possessions.

Maharaja Vikramaditya's son Pratapditya who "was endowed with all the virtues under the

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\* As a Jessorite, I am inclined to write "unfortunately for Daud but fortunately for Jessore." Indeed it is a noteworthy fact that of Bengal's heroes Jessore can boast of two—Pratap and Sita Ram leaving out only another Kedar Roy of Vikramপুর.

† This does not hold good. The name Jessore occurs in many old Sanskrit books.

sun," as the saying has it, was really an accomplished prince. He knew Arabic and Persian and was also proficient in Sanskrit and could wield the sword as easily as the pen. Guns had then been recently introduced in India and Pratap soon acquired the greatest facility in using this deadly weapon. Basanta Roy encouraged Pratap in the skill of arms and it is quite possible that Basanta Roy thought of taking measures which might ultimately lead to the independence of his favourite nephew and still more favourite Jessore. Maharaja Bikramaditya was fully against it. He was a Vaishnav—a devout one and the fatal example of Daud had fully warned him of making any opposition against the all-powerful Mogul Raj. In order to divert the attention of the youthful hero from all martial ideas and thoughts, Maharaja Vikramaditya intended to send Pratap to Agra thinking that the vast wealth and power and splendour of the Mogul court would enable Pratap to see in a true light the Mogul power and which will surely, as Vikram thought, make him abandon all thoughts of rebellion. Vikram did not like to do anything without consulting his cousin, who, as we have said before, was devotedly attached to his nephew and so the elder laid bare his schemes and plans to younger Basanta. Basanta opposed the plan altogether but at last he had to yield and Pratap was sent to Agra. This incident had much to do with the future history of Pratapditya for Pratap thought that it was only a ruse on the part of his uncle to send him off and secure more firmly his own power. Vikram was old, he may die at any moment, and the presence of Pratap at Jessore would interfere with the machinations of Basanta. So Pratap thought and vowed vengeance on his innocent uncle.

All the same Pratap had to go to Agra. He dared not openly oppose the plan, but as fate would have it, the incident turned out very well for him. Pratap was well educated ; he had charming and captivating manners and no wonder that he created a good impression in the Durbar. It is said that once in the great Durbar, none of the assembled learned men could answer a puzzle but it was the youthful hero, young Pratap who did it easily to the great satisfaction of Akbar. He soon fell easily in the good graces of Akbar, and to *smooth* his way he had recourse to a stratagem. During Pratap's stay at Agra, the revenue from Jessore used to be sent to him to be paid into the Royal treasury. Pratap did not at all pay these sums and when the necessary enquiry was made, he laid all the blame on the shoulders of his uncle Raja Basanta Roy. His father was old, the management was in the hands of his uncle, and if the revenue was not being paid regularly his uncle was certainly responsible for it. Pratap represented that if the *Badshah* be gracious enough to invest him with the necessary authority by granting him the required *sannad*, it should be the earnest endeavours of Pratap to see that the royal revenue was paid regularly and systematically. It had the desired effect. The *Badshah* granted him the *sannad* and, armed with it, Pratap returned to Jessore. He openly declared himself as the Raja of Jessore by virtue of the *sannad* but so long as Maharaja Vikramaditya lived he did not directly assume the reins of authority.

The enmity which Pratap felt against Basanta Roy continued. Pratap thought Basanta to be the standing block to his future glory. Lest there should be unnecessary bloodshed after his death, Vikramaditya

divided the Zemindari between Pratap and Basanta. Pratap was to get ten annas share while six annas was left for Basanta. Basanta Roy, who really loved Pratap, offered no objection to this sort of partition and readily consented to this. With some exceptions the eastern portion fell to the lot of Pratap while the western portion of the territory fell to Basanta. It may be mentioned here that Kalighat was in the zemindari of Raja Basanta Roy and the present temple of the goddess Kali was built by Basanta.

Jessore was hitherto the capital, but soon Pratapditya settled to live separately and built a new town at Dumghat.\* While Dumghat was built and adorned Maharaja Vikramaditya died. After his death, Pratap finally installed himself at Dumghat and began to rebuild the temple of *Jasoreshari*. It was said that Pratap was the favourite of this goddess, and that he continued to flourish through the grace of this goddess, till he offended her, when he fell. At any rate, Pratap thinking himself the favoured of the goddess, aspired to become independent fully and opportunity soon presented itself.

While Maharaja Vikramaditya and Raja Basanta Roy were serving Daud, there was another of Daud's officers Katlu Khan with whom the two cousins were in

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\* Major Ralph Smith in his Statistical and Geographical Report of the 24 Pergas. thus writes :—"Nokeepur Pergannah's principal village is 'Issureepur,' commonly known as Jessore. Issureepur is situated about half a mile below the point, where the Ichamutty river separates from the Jaboonah river and is there styled the Ichamutty or Kudumtabe river—it winds round four-fifths of village Issureepur and then finds its way into the Sunderbuns. Jessore and the Sunderbuns countries in its vicinity exhibit the remains of an old city or town, and the site still goes by the name of Goomghur. Goomghur was the seat of a very powerful Raja by name Pratap Audit who was looked on as the greatest sovereign that had ever reigned in Bengal." Goomghur referred to here is undoubtedly Dumghat. It should be remembered that a portion of the old Jessore District is now included in the 24-Pergannahs. "Since 1786," as Mr. Westland says, page 25, "it has been made to suffer changes of boundary so violent, that only half of what then was Jessore is within the limits of the district as it now stands."



great terms of intimacy. Katlu had made himself master of Orissa and had in consequence been attacked by the Moguls. Pratap went in person to help his father's friend and also, as I believe, to make his power felt. From thence he brought two idols, Govindadeb and Utkaleshwar.\* On his return he declared himself independent.

Azim Khan was then the Subadar of Bengal and to check Pratap he sent 5,000 soldiers under Ibrahim. Ibrahim was no mean general. He had served with distinction in Behar and Bengal and was with Wazir Khan in his expedition against Katlu Khan in Orissa. But Ibrahim could not cope with Pratap. He was defeated and in all probability lost his life in a battle with the Hindu king

Pratap's power was increasing day by day and the Subadar Azim Khan thought it prudent to lead an army himself to teach the refractory Zemindar a sound lesson. One of the warriors who accompanied Azim Khan was

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\*The place where the temple of Govindadeb was situated is known as Gopalpur. The following description occurs in the list of Ancient Monuments in Bengal :—  
 "It is one of the four temples said to have been erected by Maharaja Pratapaditya for the idol Govindadeb. The idol, it is alleged, was brought by him from Puri. Of the four temples only one now exists. The temples stood at right angles to one another, having a rectangular space inside them. Those on the southern, western and northern sides have fallen down and are now a heap of ruins. Some of the old inhabitants of village Gopalpur have seen the temples which were on the southern and the western sides. The one on the eastern side now stands. All the temples were built on the same plan, and the one which now exists was two storied. The upper storey has fallen down and it cannot be ascertained whether the top was square or in the form of a dome. The lower storey is in the form of an oblong having the staircase inside it. The idol used to remain in the upper storey. No inscription exists. The walls are engraved with images of Hindu gods and goddesses of fine workmanship. There was a Dole Mandir in front of the temples which has also fallen down. The temples stood on the right bank of the river Jamna which has dried up. The site is at a distance of only 3 miles from Jessore or Iswaripur which was the capital of Maharaja Pratapaditya. The temple is overgrown with big trees and is in a very dilapidated condition. This is now the haunt of small bats and wild pig. At a distance of about 8 or 10 *rashis* from the temple is a big tank about 100 bighas in area which according to tradition was dug by Pratap."

There is another temple erected by Pratap for Thakur Govindaji in the Sathkira Subdivision in District Khulna.

Bhabheshwar Ray.\* Pratap could not fight with the powerful Subadar and suffered a crushing defeat.

Pratap had a lesson. He quite found out that to cope with the Moguls and to gain his independence he required more sinews of war and more efficient soldiers and generals. He, therefore, spent the following years in building forts and arsenals, collecting soldiers and equipping and training them under the then European fashion. Portugese captains were employed for the purpose. Cannons and guns were begun to be manufactured within Pratap's territory. A Portugese Captain Rodrick was placed in charge of the navy while native captains Raghu, Sukhmaya, Gupta and Madan were made assistants. Pratap's eldest son Udayaditya was also making a name now as an efficient commander. Soon Pratap had an army and a navy which were well trained and which bade fair to fight with the Moguls.

All this time, Pratap was seeking an opportunity to get rid of his uncle who, as told before, loved him like his own son. Fresh causes of misunderstanding grew up. Chaksri, † a place immensely fitted for a harbour, had fallen in the share of Raja Basanta Roy and much as Pratap desired to get hold of it Basanta would not agree at all to Pratap's proposals and importunities. Determined to get Chaksri at any cost, one day, when Pratap found him unarmed, had Basanta killed with

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\* "One of the warriors who came with him was Bhabheshwar Ray, and he was rewarded by being put in possession of the Pergannahs of Saydpur, Arnidpur, Maragacha and Malikpur." Westland, page 45. And again "from the family records of the Rajas of Chancra it appears that Azim Khan, who was one of Akbar's great generals, deprived Pratapaditya of some of his Pergannahs, for four of them were bestowed upon the Raja's ancestor. It is possible therefore that Pratapaditya though he was victorious over the imperial armies and though they failed to fulfil their duty of capturing him, lost in the struggles part of his power and substance some time before he was finally reduced." *Ibid.* page 24.

† Chaksri is in the Bagerhat Subdivision in the Khulna District.

his own hands. The murder of his uncle which happened in 1602 was the greatest blot on Pratap's character and by no means can this foul act be justified.

After murdering his uncle, Pratap determined to exterminate Basanta Roy's family altogether. Govinda Roy, the eldest son of Basanta, had followed Pratap when the latter was attacking Basanta and had shot an arrow only to miss the mark. Govinda was instantly killed by Pratap and then, it is said, Pratap ordered that Govinda's wife, who was big with child, should also be murdered. The youngest son of Basanta—known in history as Kachu Roy (for his having taken shelter in kachu-arum and bon-jungle)—only escaped. One of the officers of Basanta then took him to Isha Khan (one of the Bhuiyas) a powerful nobleman and a friend of Basanta, and Isha Khan gladly gave shelter to his dead friend's son and heir. Soon after Kachu Roy reached the court of Akbar, there to lay his grievances before the great King.

After the murder of Basanta Roy, Pratap got the entire territory. His territory at this time extended to the east up to Madhumeti, to the west the Ganges and to the sea in the south. He is even said to have defeated the other Bhuiyas of Bengal, who were compelled to pay his tribute. The extent of his territory can be well gauged from the reports of the Jesuits who represented that it would take one month's time to travel through it.\* The first Jesuit church was also built there, the necessary permission having been given by Pratapaditya.

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\* His dominions either those which he acquired by inheritance, extended over all the deltaic land bordering on the Sunderbans, embracing that part of the 24 pergasas district which lies east of the Ichchamati River and all but northern and north-eastern part of the Jessore District.

It was at this time that Pratapaditya in order to satisfy the King of Arracan confined Carvalho the Portugese pirate and had him murdered.\* Carvalho had gone to Jessore at the invitation of Pratap himself and it is quite possible that if instead of brutally murdering his guest, Pratap had placed this gallant captain at the head of the navy. The fortunes of Pratap had not been shattered so easily.

Pratap's power was increasing, however, day by day. He was beginning to coin money and in various other ways proclaimed his independence. The news reached the Court. Kachu Roy, as has been mentioned before, had also been there, but the great Akbar was dying and Mansingha was trying to put on the *musnad* his relative *Khusru*. However Jehangir was able to ascend the throne, Mansingha was forgiven and reinstated in the Government of Bengal† Mansingha started from Agra, thence to Bihar, and then to Rajmahal, which was then the capital of Bengal. Then passing through Berhampore, Nadia and 24 Pergannahs he reached Jessore. Kachu Roy accompanied him and Mansingha was assisted by "Bhavanand Mazumdar who had been in the service of Pratap as a

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\* It is said that 22 Amirs were sent by Akbar to capture Pratap but they were defeated and lost their lives. Opinions vary as to this point, whether the Amirs were sent before Mansingha or they accompanied him. It is, however, interesting to note in the List of Ancient Monuments in the Presidency division the following notes: "Isvaripur, Police Station Kaligunj, tombs. The tradition about these tombs is as follows—Raja Pratapaditya of Jessore having declared himself independent of the authority of the Delhi Emperor, the Emperor Jehangir successively sent 12 Omras with large armies to subdue him but Pratap defeated them all in battle. Afterwards when Raja Man Singha, the Hindu general of the Emperor, defeated Pratapaditya and took him prisoner, he erected these three tombs in memory of the deceased 12 Amirs." "There is another tomb" the Bara Omra Gaur or the tomb of 12 Sepoys. "After the Raja of Saugor was dethroned, these 12 sepoys who were his favourite servants fought among themselves and were killed. Their dead bodies were afterwards collected by the Raja and buried in the tomb." (Ancient Monuments).

† "Certain considerations, nevertheless, prevailed with me sometime afterwards to reinstate the Raja Man Singha in the Government of Bengal" (Memoir of Jehangir). These considerations were undoubtedly the rebellion of Pratap and of the Afghans.

pet Brahman boy." \* Pratap opposed Mansingha at *Montala* where a severe battle but an indecisive one took place. But Pratap was forced to take shelter within his fort.

The climax, too, had been reached. Pratap at this time ordered the breasts of a poor beggar woman to be cut off.† These insults to a woman exasperated *Jasoreswari*, the goddess. Ralph Smyth has thus described the subsequent events:—"The goddess Kali, seeing all this, was anxious to revoke her blessing, and to effect this, she one day assumed the resemblance and disguise of the Raja's daughter, and appeared before him in court, when he was dispensing his so-called justice, by ordering a sweeper woman's head to be cut off for sweeping the court of the palace in his presence. The ministers and courtiers were amazed to see the impropriety of her conduct in appearing before them. The Raja also seeing his daughter (not entertaining that it was the goddess in disguise) ordered her out of court and to leave his palace for ever. The goddess then discovered herself, and reminded him of her former blessing and promised aid, until he drove her from his presence, and to prove to him that her words were true and that she would no longer assist such a tyrannical monster, she caused the temple he had built towards the west to change from its original position on the south and that he should henceforth be left to himself."

Pratap took shelter within his fort but could not stay there long. His supplies were cut off and he had to come out. He was defeated and put in chains.

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\* Dr. Jogindra Nath Bhattacharya's "Hindu Castes and Sects."

† Mr. Smyth in his "Report of the 24 Pergannahs" writes of "Pratap's ordering a sweeper woman's head to be cut off." But the current traditions are otherwise.

Mansingh sent him off to Agra but on his way to Benares, Pratap died.

Pratapditya thus lived, fought, and died. More than three hundred years passed away since his unsuccessful attempt to become independent, but his name is still living. The remains of the temples and tanks made and excavated by him still remain. They do not figure so highly as those of Raja Sita Ram Roy, another of the Bengal *Bhuiyas* who too tried to gain independence, but there is no denying the fact that Pratap is more popular in the legends as a hero possessed of all the virtues under the sun and though his fair and great name have been sullied by the murder of his uncle Raja Basanta Roy and the Portugese pirate Carvalho, yet, at the same time, we are to remember that while the name and legends of Sita Ram Roy of Mohammadpur are generally connected with one or two tales of licentiousness, the fiercest detractors of Pratapaditya of Ishwareepur have not been able to join such tales with his name.

JOGINDRA NATH SAMADDAR,

F.R.E.S., F. R. HIST, S., M.R.S.A.

*Hazaribagh.*

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## Art. V.—DWARKA NATH MITTER : A BIOGRAPHY.

### CHAPTER V.

#### AT THE BAR.

HAVING got his diploma as the qualifying certificate was called, Dwarka Nath lost no time in joining the bar of the Sadar Diwani Adalat. Indeed the poetical posture in which his family affairs then lay brooked no delay. The burden which he as the head of the household had to bear was considerably heavy, augmented as it was by a fresh addition. Dwarka Nath was not the same Dwarka Nath that he was while leading the life of a student, the world unknowing, to the world unknown; he had become a householder and had to take charge of a pretty large family. When about to pass out of his teens he had married in the family of the Bose Chowdhuries of Benapur in the district of Burdwan; but his wife having died young, he married again, his second wife being the daughter of Raj Krishto Roy of Harpal, in his own district, Hooghly. While Dwarka Nath was much attached to his wife, this did not at all detract from the devotion and reverence which he always bore to his mother. Indeed, the latter still reigned in the family circle and had full and absolute control over domestic affairs. Her word was law which all the members including Dwarka Nath himself were bound to obey, and obey they did as a matter of fact, with something like religious regard. His wife was very active and industrious and did not shrink from work, however, toilsome and heavy. About the time of which we are

speaking Dwarka Nath's income did not allow of his living in a rich style, and he was not the man to live above his means by putting a false gloss over his affairs. He began life in a plain and simple way and held to it till things took a more favourable turn. Thus, his wife had to labour hard in discharging the duties of the household. She had to do not only the cooking, which gentlewomen nowadays stand so much in dread of, but some other duties as well, which though not equally hard and taxing were certainly far from easy.

When Dwarka Nath joined the Sadar Diwani Adalat the bar was well represented. Rama Prosad Roy was at its head and he was also the Senior Government Pleader. This gentleman, whose name has almost become a household term in Bengal, was possessed of very great ability and commanded very large and extensive practice. The Judges had the highest regard for him and gladly extended to him the hand of friendship. In fact, never did a member of the legal profession have such influence in an Indian Court of Justice.

Next to Rama Prosad was Shumbhoo Nath Pundit, who had risen from very small beginnings. He too had considerable practice and enjoyed a high reputation for able and impressive advocacy. Though not equal to Rama Prosad, the difference between the two was certainly not very great. There were also Baboo Kissen Kissore Ghose and Moonshee (afterwards Nawab) Ameer Ali, who like the other two were in the spring-tide of their forensic career. Kissen Kissore had the Bengal Regulations at his fingers' ends and his knowledge of the general principles of Indian law was far above the average. Indeed, he passed for a sound lawyer and his opinions on legal points were held in



high esteem. But he was a little too conservative in his views and he used to say that if all the *Acts* that were passed after the Regulation period and *Reports* of cases decided by the Court were burnt, that would not in the least affect the due administration of justice in Bengal. But with all his knowledge of Indian law Kissen Kissoore laboured under a great disability which prevented him from keeping pace with the march of events; this was his ignorance of the language of the rulers which was going to be introduced in the Court in the immediate future. The very same disability was also observable in Ameer Ali; but as a fluent speaker of Hindustani, the then current language of the Court, the Moonshee stood unrivalled. These pleaders of the old school were dead against the introduction of English into the Court, apprehending that it would have the effect of sounding the knell of their existence on the forensic arena, and it was, therefore, not at all surprising that Dwarka Nath and the others of the new class who had joined the bar about the same time with them should, so far from being liked, have been actually hated and condemned by them. But whatever might have been the case with the others, Dwarka Nath's success was not delayed; and although it might not be literally true what the late Mr. Justice Louis Stewart Jackson said, namely, that his success was ensured from the very day he joined the bar, it would be no exaggeration to say that he had to wait only a very short time before he made himself known in the profession. He enrolled himself as a pleader, as we have already said, in March 1856, and on referring to the Sadar Diwani Reports of that year we find that on the 19th June following he appeared in a case before Mr. Raikes,

in which Dewan Padma Lochun Mojumdar and others were appellants and Mr. George Luke was respondent. We do not know whether it was the very first case in which he made his appearance, but supposing it to have been really so, the fact is undeniable that his case stood on a much higher platform than that of the ordinary run of pleaders who had to wait long before they got into some practice. In that case in which his name seems to have first appeared in the official *Reports*, Dwarka Nath, as we have learnt from a most reliable source, got only ten rupees as his fee. One would have wished that this ten-rupee note had been kept as a souvenir, just as the guinea first earned by that prince of English barristers, Erskine, had been religiously kept and which went down as a heirloom in the family, but it seemed that Dwarka Nath's necessity at the time was too great for the preservation of such a relic and so it soon passed into other hands. Having thus made a fair start almost at the very threshold of his professional career, he kept it up with his usual zeal and diligence. We often come across his name in the early *Reports*, thereby leading us to think that he was rapidly getting into practice. He had studied law as a science and had also learned the practice thereof by experience. His leisure hours at Court he devoted to "intently" listening to the speeches of the distinguished pleaders of the day and taking down notes of arguments; while his leisure at home was spent in the study of the best English works on forensic eloquence and the speeches and orations of eminent orators both English and Continental. Thus he had made every preparation with a view to qualifying himself for the bar. No wonder then that his success should have been more rapid than that of

any other pleader or vakil in the legal annals of India.

While thus preparing himself for the battle of life Dwarka Nath attracted the notice of the two most successful men in the profession, namely, Rama Prosad the great, and Shumbhoo Nath the good. Both of them appreciated his sterling merit and were candid enough to predict his rapid rise in the profession. As for Shumbhoo Nath whose nature was full of the milk of human kindness, he looked upon him as his younger brother and gave him every help in his power. As yet Dwarka Nath had not found a fit opportunity for showing to the best advantage the excellent stuff he was made of. But it was not long before such an occasion presented itself and that by the purest of accidents, and he readily availed himself of it. In a very important case in which Rama Prosad had taken him as his junior, it so happened that the great pleader, burdened as he always was with a multiplicity of cases, could not be present. When the case was called on for hearing, the Judges asked his junior if he was ready, and young Dwarka Nath acting on the wholesome maxim of "Senior's absence is junior's opportunity," replied that he was, and at once commenced arguing the case. The client who had paid a large sum of money to Rama Prosad, finding that his case was being handled by an inexperienced youth, who had seldom opened his lips in Court, was taken aback and in utter despair ran up to the place where the great pleader was speaking, but with all his entreaties he could not induce him to come to his help, as that would be contrary to the etiquette of Court. The poor man came back sore of heart and resigned himself to fate. By this time Dwarka Nath had been able to make an impression on the minds of

the presiding Judges. Indeed, they were quite struck at the skill and ability with which he conducted the appeal and they expressed their great pleasure, not unmixed with a deal of surprise, to Rama Prosad when the latter at last turned up a little before the hearing of the case was over. Thus the reputation of Dwarka Nath was at once established and he soon got into respectable practice. From this time Dwarka Nath was eagerly sought after to hold what is commonly called "second brief," not a matter of small credit for an obscure young man who had been enrolled as a pleader only five or six months before. Mr. William Austin Montriou, the great scholar and jurist, who was an old advocate of the late Supreme Court and the Senior Professor of Law at the Presidency College, thus gave expression to his impression of Dwarka Nath at the very outset of his professional career :—" I well recollect the period when he joined the Sadar Bar, and the admiration which was expressed in private by the Judges of his ability ; and I can specially recall the remark of Mr. Abercombie Dick respecting the accuracy and force of his logic. When engaged in the forensic arena, whether Dwarka Nath was with me or against me, I well remember how his zeal, his conspicuous ability and honest pleading challenged the admiration of all and specially my own admiration. Those years of advocacy were his initiation to the position which he at last attained. He was on the threshold of that eminence to which he was born and which was to come."

Of the Sadar Judges who thus appreciated the solid sterling merit of Dwarka Nath none had known him before save and except Mr. D. I. Money. This gentleman was for a pretty long time Collector of Hooghly and

while so administering that district, took considerable interest in the cause of native education. With a view to encourage students in the prosecution of their studies he used to award a gold medal every year for the best essay on some historical or other important subject. As we have already stated, Dwarka Nath carried off his medal in two successive years and thus earned his favour and affection. Indeed, he had come to form a very high opinion of Dwarka Nath's parts and ability. This being so, one can easily imagine how very great must have been his pleasure when he found Dwarka Nath practising in one of the two highest tribunals in the land. But Mr. Money's tenure of office in that Court was not destined to be long, for he had to cut short his career owing to ill-health. At last, the day on which he was to bid his final farewell to Indian service dawned. As usual he took his seat on the Bench and after doing some business and saying a few parting words to the pleaders who were present retired to his private chamber. There he sent for Dwarka Nath and when the latter was come, prefigured in glowing colours the glorious future which awaited him, if God only spared his life. He then held the hands of his favourite *protégé* and shook them most warmly and cordially.

About the time when Dwarka Nath was thus rising in the profession he came into contact with a parcel of kindred spirits, some of whom he had known before and some new acquaintances. All these afterwards distinguished themselves to a more or less degree. But none reached the height to which Dwarka Nath attained. True it is, Unooool Chunder Mukerjee had been raised to the High Court Bench, but his stay in that lofty region was so very short that he found no scope

for winning a tithe of the distinction which Dwarka Nath had achieved. Annoda Prosad Bannerjee was another of Dwarka Nath's friends, only that he was his senior in standing by a little over two years. Though not an eloquent speaker, Annoda Prosad was a sound lawyer and was held in considerable esteem both by the profession and the public. Government, too, was not a stranger to his worth and ability, so that when opportunity presented itself it appointed him Senior Government Pleader, which office he held for a long time until perceiving that his end was fast approaching he, like the staunch orthodox Hindu that he was, exchanged a life active for a life contemplative. Though somewhat older than Dwarka Nath he never hesitated to extend the hand of friendship to him, and, as a matter of fact, held him in affectionate regard till the last day of his life. As for Sreenath Das, Dwarka Nath had known him while both of them were in college. Like Dwarka Nath, Sreenath too had a brilliant academical career. Mathematics was his *forte* and he earned laurels in it. As was the custom in those days, his answer papers at some of the examinations were published in the Reports of the Council of Education. At the Bar also Sreenath highly distinguished himself, and should have been elevated to the Bench, but it seemed that the Fates were against him in that respect. The other day he completed the jubilee of his forensic career, on which occasion the Vakils' Association entertained him at a public dinner, thereby showing their deep regard for him. Sreenath and Dwarka Nath were fast friends and they lived on the best of terms till the cruel hand of Death severed the connection for good. Banee Madhab Banerjee was also a friend of Dwarka Nath's. Banee Madhab

was sweet of tongue and sound of head and proved a successful pleader. But his forensic career was short and he died almost in his very prime. Though both Gopal Lal Mitter and Mohesh Chandra Chowdhry were Dwarka Nath's juniors by a little over one year, this did not prevent them from obtaining the honour and benefit of his friendship. Gopal Lal belonged to a very respectable family in Calcutta and was otherwise a worthy man. At one time he had considerable practice, but latterly there was found a falling off, whereupon he took service and was appointed Vice-Chairman of the Calcutta Municipality on a salary of Rs 1,000 a month. Mohesh Chandra highly distinguished himself in the profession and had well established his claim to a seat on the Bench; but for some reason or other that claim was not recognised by the "Powers that be," and he had to end his days as a vakil. Mr. Justice Norris was a warm admirer of Mohesh Chandra, and he, a candid and outspoken man as he was, used to say that if Mohesh Chandra had been an Englishman practising in England he would have been made Lord Chancellor. With all these members of the profession Dwarka Nath lived in the closest intimacy.

Besides members of the bar there were a few others who were bound to Dwarka Nath by the silken band of friendship, conspicuous amongst whom was Harish Chunder Mukerjee, the founder and first editor of the *Hindu Patriot*. Harish was a clerk in the Military office on Rs. 400 a month, but he deserved a far higher position. He was a born politician and could discuss political questions in such a masterly way as few men of his time could do. No wonder

that his views were much appreciated and valued by that famous administrator and statesman, Lord Canning, who then held in his hands the destinies of India, and his brand-new Weekly became a great favourite with him. Harish was a true friend of humanity and it was not unoften that he wielded his powerful pen to do them knight's service

Dwarka Nath continued to advance in the profession and his reputation as a very able and conscientious pleader had spread far and wide. As a necessary consequence of the transfer of the Company's rule to the Crown, the Sadar and the Supreme Courts which had all along remained separate were amalgamated and the present High Court was established on their ruins. This much longed-for change in the judicial administration of the country took place in the memorable year 1862. With the establishment of the High Court the sun of Dwarka Nath's fortune, as the *Hindu Patriot* observed, rose above the horizon. The great Rama Prosad, who had been appointed a judge of that Court, having died, Shumbhoo Nath, who was the next best man at the bar, was given the appointment. When these two brilliant luminaries were removed from the forensic sky, the one by death and the other by elevation to a higher sphere, the star of Dwarka Nath at once widened into solar lustre and magnificence. At that time the High Court was presided over by that most distinguished lawyer and jurist, Sir Barnes Peacock, than whom an abler and more learned Judge has not come out to India. Sir Barnes was the first to recognise Dwarka Nath's talents and abilities, and the other Judges were not slow to follow suite. Dwarka Nath became the general favourite and his wonderful success became the chief



legal topic of the day. He soon got to the top of the profession and was ungrudgingly given the leadership of the Native bar. With his rapid rise in the profession, his income was correspondingly increased. He never stooped to any subterfuge or trick nor touched a dirty brief. He was pre-eminently a man of principle, perfectly fair and thoroughly honest in all his dealings, and towering high above the temptations of the world. He was also a philanthropist and often stretched out his hands to help the poor and the needy. If he came to know that a certain client was really in want and was unable to pay for his services, he would not take anything from him but act *gratis*. "As an advocate," said the late Mr. Justice Kemp, "he was fearless, independent and always ready to support the cause of the poor. many times, I know from my own personal experience, without a fee." Instances were not few in which he thus acted gratuitously for the good of his fellowmen who were not in a position to compensate him. Thus, he earned a name for generosity in a profession in which self-interest runs high and self-sacrifice is almost a thing unknown.

On the 6th June 1865, the Great Rent Case came on for hearing before the full complement of fifteen Judges. It was a case of very great importance, involving as it did the determination of principle which should be followed in assessing the rent payable by an occupancy tenant. The occupancy tenant was a person quite unknown to the Cornwallis Code as the well-known Bengal Regulations of 1793 were collectively called, he was a creature of Act X of 1859, pure and simple. In those Regulations the rights of the superior holder were defined with a fair amount of precision ; but the subordinate rights, though

acknowledged to exist in a general way, were not at all defined with anything like certitude. While, therefore, the landholder or superior tenure holder entered the Courts with clearly ascertained rights and a legislative sanction for getting them enforced, the vast multitude of under-tenants and cultivators could point to no ascertained rights nor to any legislative definition of them. A uniform enforcement of so amorphous and incomplete a measure was impossible and the necessary consequence was that the cases which came before the District Officer in his judicial capacity produced a mass of conflicting decisions the tangled skein of which, when the subject was seriously taken up by the Legislature at the commencement of the Queen's rule, the best lawyers in India, after years of "toil and trouble" failed to unravel. To remedy this confused and chaotic state of things, Act X was passed in the memorable year 1859, whereby the rights of the cultivators and subordinate tenureholders were attempted to be determined and defined. But the subject still remained in the region of doubt and obscurity, and, as a matter of fact, no class of agriculturists knew precisely what its rights were. The consequence was that Bengal was thrown into a paroxysm of litigation and the relations between the landlords and their tenants became more and more strained. The new law had had ample time given it for its due operation, and when, at last, it was found that there was no chance of the question of rent being settled in ordinary course, the Judges of the High Court felt it their imperative duty to come forward and determine it once for all. This was the origin of what is commonly known as the Great Rent Case. To give due weight and importance to the matter the Judges sat in solemn conclave in the Town Hall, making an

imposing scene. Mr. Doyme, the recognised leader\* of the English bar, was engaged on the side of the landlord, and he was assisted by three eminent pleaders, namely, Kissen Kissors Ghose, Chandra Madhab Ghose and Hem Chunder Banerjee. The ryot relied upon the efforts of only one individual—Dwarka Nath Mitter, who, though young, was a host in himself and was well able to hold his own against any pleader or barrister. He, it is true, was assisted by eight other pleaders, but the assistance was for the most part nominal, he himself having borne the whole brunt of the battle. The hearing lasted for seven days together, during which the Court was full to overflowing, and presented a spectacle the like of which had never before been witnessed in any Indian hall of justice. In that splendid hall and in the midst of such a large assembly young Dwarka Nath showed to the world what wonderful capacities he possessed. "Day after day," said the *Hindoo Patriot*, "he rose at 11 o'clock A.M. and continued on his legs till 5 and sometimes 6 P.M., though exhausted in physical power, still inexhausted in arguments and resources. In that case he was opposed in opinion to the leading mind of the Court, and, as a matter of course, exposed to the brisk fire of interrogatories of the Chief Justice, but it was a pleasure to witness the skill and ability with which this young Norval fenced with the veteran." Day after day their Lordships were overborne by a torrent of strong and convincing eloquence.

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\* The poet of the *Lay of the Great Rent Case* thus speaks of him :—

" .....Dikhi Doinius,  
Of all the Bar the best,  
Who, whether at the festive board  
Or in forensic Hall,  
For many years has proved himself  
The leader of them all."

It was a tribune of the people haranguing against privileges and prescription. Dwarka Nath was not a platform speaker striving to produce a dramatic effect. His words were weighed and measured, his arguments sound and linked together, as it were, in a chain. His eloquence was of a higher order suited to a select audience, not intended for the ignorant mob. The comprehensive grasp, the extensive research, the accurate analysis of evidence, the perfect mastery of details, exhibited by his well-trained legal intellect, filled the Judges' minds with the warmest admiration. Dwarka Nath gained the day and his triumph was complete. The majority of the Court ruled—and their decision was the one that prevailed—that the rate prevailing in the pargana was generally the fairest ground of enhancement ; that where such rate was too low or had not adjusted itself according to the increased value of the produce, the new rate was to bear the same ratio to the old rate as the new value of the gross produce bore to its old value. This was substantially what Dwarka Nath had contended for. It was the opinion of the profession that the exceptional ability and learning which he had shown in arguing the Great Rent Case could hardly be surpassed by any European barrister in India and fully entitled him to a place in the very first rank of advocates.

Dwarka Nath had now reached the very height of his fame as a pleader. The burden of business was already too heavy for a single head to bear with ease, and now a fresh addition was made to it which was at the same time quite unlike the last straw upon the camel's back. This increment was the necessary consequence of his having been very lately appointed Government Pleader. From this time the

pressure of work on his hands was so very great that he could hardly stay away from the High Court even for a single day. His friend and biographer, Denobandhu Sanyal, has stated from his own personal knowledge that while in the full swing of his practice Dwarka Nath had once refused an offer of fifteen thousand rupees to plead a case in a Mofussil Court which would have kept him away from the town only for three days. Indeed, Dwarka Nath was the life and soul of the Native bar. What Doyne was among the barristers, Dwarka Nath was among the pleaders, he was the Doyen of them all. Many a time and oft did he have passages-at-arms with the best intellects of the day and it would be no exaggeration to say that his victories greatly outnumbered his defeats. Even Doyne and the Advocate-General, Cowie, used to say, "There is no getting a case against Dwarka Nath." This was no small praise, coming as it did from persons who were consummate masters of the art of advocacy. Indeed, Dwarka Nath stood unrivalled in his profession and his fellow workers candidly acknowledged his superiority and gladly gave him the first place. As his friendly biographer whom we have referred to above has observed :—"Gifted with abilities given to few, deeply read, he commanded an armoury from whence he could readily and on the spur of the moment draw the weapons for defending his own case and demolishing that of his adversary. His eloquence was stirring and dignified ; his reasoning sound and persuasive, his style forcible and unaffected. His voice was heard in every part of the spacious hall of the Court-house ; and his words flowed with unbroken fluency except on rare occasions which arose from a circumstance so curious as to deserve mention. When

pleading a case, Dwarka Nath would seize a pen and twist it with both hands. The moment the last piece of the broken pen dropped from his hands, he would lose the thread of his arguments. To guard against such a contingency one of his clerks, who stood behind him always well supplied with a stock of stout quills, put into the hands of his master a fresh pen before the former one had been completely demolished." But though Dwarka Nath had risen to a giddy height, this rare ascendancy wrought no change in his character and conduct. He was the same simple, kind, and plodding Dwarka Nath that he was before. But overwork seemed to have affected his constitution, strong and hardy as it was by nature. He was subject to constant attacks of colic which made him almost insensible and kept him so for hours together ; but the moment he was a little relieved he would resume business and work at it with his usual diligence and earnestness. This constant struggling against Nature produced a very baneful effect upon his body, and though to all appearance he was hale and hearty, the cancer had crept into the very core of his system. " Little did they think," said Mr. Montriou, " when they listened to his voice at the bar that even then there was a

" —little rift within the lute  
Which by and by will make the music mute,  
And, ever widening, slowly silence all."

This little derangement in Dwarka Nath's bodily system was not perceived at the time, or if perceived, no sufficient care was taken to have it healed. Indeed, the unprecedented success which attended his career hardly gave him an opportunity to look to other matters, and the ardour with which he performed the duty he owed to his clients rendered him quite insensible to the duty he owed

to himself Be that as it might, he, however, never failed to look after the interests and well-being of his family, and whenever he found any respite from the ever-increasing pressure of work which his wide and extensive practice generally put upon him, he would most readily seek solace and comfort in the sanctuary at home—sweet home—which is so much loved not only by the human race but also by the whole animate creation.

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## CHAPTER VI

### WITH KINDRED, FRIENDS AND DEPENDENTS.

DWARKA NATH had two sons and three daughters, of whom only two survived. These were his son, Surendra Nath, and daughter, Bhoobun Mohini. Great care was taken by Dwarka Nath to train up his son in the proper way. Surendra Nath was nominally placed at a school, he was principally taught at home by competent tutors among whom was Mr. Rees, the well-known mathematician. No wonder that the boy, smart and intelligent as he was, made very rapid progress. Dwarka Nath had a mind to send his son to England to complete his education at Cambridge, but untimely death prevented him from carrying out his desire. As for his only surviving daughter, Bhoobun, she was married to Wopendra Nath Dutt, son of Rajendra Nath Dutt of the well-known Bowbazar Dutt family. Wopen, the pet name by which he was called, was a very good boy and was much liked by his father-in-law. In fact, Dwarka Nath made no distinction between his son and his son-in-law in his mode of treatment and looked upon them both almost in the same light. Though Wopen's father was in very good circumstances and was well able to

pay for his son's education, Dwarka Nath did not allow him to do so, and making his son-in-law a permanent inmate of his family bore all his expenses and gave him the best education that was available in Calcutta at the time.

Prosanna Moyee, Dwarka Nath's wife, died shortly after he was elevated to the position of a Judge of the Highest Tribunal in the land. This crushing blow seriously affected his health. But Dwarka Nath's sense of duty was so very keen and strong that it was not long before he rose superior to this trouble and continued to perform his judicial and other functions with his usual zeal, diligence and energy. Dwarka Nath married again and had for his third wife the daughter of Kali Kumar Dey of Rishra, elder brother of Chandra Kumar Dey, better known as a scholar and linguist than as a doctor which he was by profession. Kali Kumar himself also was a man of note ; he was liberal-minded almost to a fault, and had done much to improve the condition of his native village. The marriage took place in the right orthodox style without pomp or circumstance as became the marriage of a grown-up widower. The fruit of this union was a child named Bhupendra Nath.

Dwarka Nath, burdened as he was with the onerous duties of his high office, had no time to look after his own personal affairs ; and as he found a competent hand in the person of his maternal uncle for whom he had considerable regard, had made him general manager of his property and affairs. But it is very much to be regretted that the latter did not prove true to his trust, and was, as a matter of fact, guilty of gross misconduct.

Dwarka Nath was indulgent not only to near and dear relations in money matters ; even very distant



kindred, if they really stood in need, always found a friend in him and profited by his generosity and patronage. A staunch lover of humanity as he was, if he came across poverty or want in any of his friends, relations or dependents, he was the most forward in coming to the rescue and administering proper relief. His splendid house at Bhowanipur was something like a hotel where more than fifty of his poor relations and villagers were duly maintained at his own expense. He not only fed them but also supplied them with clothing and sometimes even went to the length of meeting their other wants. Of those dependents on his bounty, a goodly number were students who received board and education at his cost. All these dependents he looked upon as his own, and he never gave them any occasion for thinking that he viewed them in a different light. In the morning Dwarka Nath would invariably take his meal along with his poor dependents including the school boys, and no difference in the quality of the food or in the manner of serving it was allowed to prevail in the house. Indeed in this matter the master did not receive any special consideration, but was taken as one among the many. Dwarka Nath was not a popularity hunter, nor was he fond of making friends with big folks, or giving brilliant parties. But to his friends,—and their number was certainly not inconsiderable,—his table was always open and seldom did an evening pass in which some of them did not call in and partake at his repast.

Although Dwarka Nath used to spend almost the whole of the year in his place of business, still he cherished reverential regard for the small obscure village where he first saw the light. There he built a big house and established an Anglo-Vernacular School and

a Dispensary for the benefit of the villagers. Though not an idolator himself, he had kept up the practice, so solemnly observed by his father and ancestors, by celebrating the Durga Pooja, the Saturnalia of the Hindus. During this festive occasion, the whole village smiled with joy and mirth, and both the rich and the poor passed three happy days under his hospitable roof. Few and far between as Dwarka Nath's visits to his nativity were, the villagers really looked upon them as angels' visits in view of the great advantages which they owed to his liberality and good nature. Their regard and affection for him was not lip-deep, it was sincere and came direct from the heart. Dwarka Nath set a very high value upon friendship, deeming it as something high and holy. This is as it should be, and where the relationship is true and genuine, change of circumstances does not at all affect it. This is strongly exemplified in the case of Dwarka Nath. When he became a Judge of the High Court, some of his friends and relations between whose condition and his there intervened a wide interval, naturally hesitated to approach him. Dwarka Nath, observing this change in the conduct of his old comrades, was very sorry at heart and never missed an opportunity to disabuse their minds of the wrong and uncharitable views they had formed of him. We happen to know an instance in point. A friend of his who afterwards rose very high in the Education Department was a constant visitant at his house while he was practising at the bar. But when Dwarka Nath was elevated to the Bench, that gentleman, for reasons best known to himself, all of a sudden discontinued his visits. This could not fail to attract the vigilant eye of Dwarka Nath, who, one day, decided to call on him, and asked him why he had

discontinued his visits. The gentleman was taken quite aback and knew not what reply to make. Dwarka Nath in a semi-serious mood, as was his wont in his intercourse with friends, warned him to be more careful in future and this had the desired effect.

As we have already observed, Harish Chandra Mookerjee of the *Hindoo Patriot* was a great friend of Dwarka Nath's, and it was only natural that he should have been so, as the two men were akin to one another in mind and spirit. Not only were they patriots in the best sense of the term and were fired with a zeal for the welfare of their countrymen, they were also deep thinkers and were equally devoted to the cause of education and learning. They often met together and passed many pleasant hours in each other's company, when intelligent talk was sometimes diversified with chess-playing at which both of them were experts. But Harish's tenure of life was anything but long and he was cut off in his very prime. The *Hindoo Patriot*, while it was conducted by him, had a deservedly high reputation as being the true exponent of native public opinion and it was, therefore, not surprising that it had become a favourite with that good and great Governor-General, Lord Canning, whose laudable memory is still fondly cherished in this country. The untimely death of Harish was certainly a national calamity; and as for Dwarka Nath he looked upon it as a severe personal loss. But death did not have the effect of dissolving all connection, inasmuch as Dwarka Nath continued to look after the interest of the bereaved widow, and as long as he was alive helped her in various ways.

Michael Modhusudan Dutta, whose name is so very well known in the republic of letters, was also a

friend of Dwarka Nath's and was held by him in high regard, not so much for his professional ability of which he had certainly a fair share as for his high poetical powers. But with all his genius Michael, as he was commonly called, could not prosper in the world. In fact, he furnishes a striking illustration of the popular saying about poetry and poverty going hand in hand. Michael had very little practice at the bar and it was only natural that he should have often found it difficult to make the two ends meet. The fact was that he was constantly busy courting the muse of poetry and had hardly time to acquire money. But the body must be supported all the same, which, however, could not be done without money, and he was therefore put to the necessity of adopting one or other of the only two courses that were left to him, namely, borrowing or begging. In this way he had incurred debts to a large amount, and when through stress of circumstances the practice of borrowing had to be given up, he resorted to begging. On finding him reduced to this sad state, Dwarka Nath occasionally did him some help; and on his death, which took place in a charitable hospital, paid his tribute of tears for the very heavy loss which the country had sustained. But here his connection with him did not end, for several times did he extend his helping hand to Michael's widow and children who had been left in a state of destitution. Another well-known Bengali poet, Denobandhu Mitter, also enjoyed the honour of Dwarka Nath's friendship, and they passed many pleasant hours together. Hem Chunder Bannerjee, who was only second to Michael in poetical powers, was another of Dwarka Nath's friends. In an unguarded moment the latter had said something at a meeting which Hem Chunder took sorely to heart.

Dwarka Nath who had not had the least intention of offending him, on finding that what was farthest from his mind had, however, come to pass, asked forgiveness of Hém Chunder, and gave him distinctly to understand that until he forgave him he would not eat or go to sleep. Surely, this was goodness *par excellence*.

Dwarka Nath's friendship with Onoocool Chunder Mukerjee was contracted when both of them were at the bar. Onoocool, though not so scholarly and learned as Dwarka Nath, possessed strong common sense and high natural ability, and as kindred feelings vibrated through the heart-springs of both, it was only natural that they soon came to be bound by the silken band of friendship. Not only did they often meet in person, they also exchanged their thoughts in writing, in which there was often a commingling of wit and humour.

Onoocool resided at some distance from Dwarka Nath, but when he was raised to the Bench, the latter induced him to remove his lodgings closer to his own so that they might have better opportunities of enjoying the pleasure of each other's company. But that pleasure Dwarka Nath was not permitted to enjoy for long, as Onoocool died a few months after he had put on the judicial robe. One day, after delivering a judgment in Court, Onoocool suddenly fell ill, whereupon Dwarka Nath got him removed to his Chowringhee house, where, alas! he breathed his last a few hours after. Purna Chunder Shome and Nil Chunder Mukerjee, both of Chinsura, were also numbered among the few select friends of Dwarka Nath. We have heard from Purna Baboo, who died only lately, that Dwarka Nath knew not what pride was in his intercourse with his college friends and that even when he had become a Judge of the High Court he treated them in the same way as he had

done while leading the life of a student. Speaking of his own personal relation with him, Purna Chunder said that it was one of very close intimacy and that he was once taken to task for having failed to pay him a visit when he had come to Calcutta during the Christmas holidays. Purna Chunder's regard for Dwarka Nath was very deep and sincere and he used to say that the latter was a really good and great man, the like of whom could not be easily found here on earth below. Nil Chunder also had the highest respect for Dwarka Nath. While the latter was judge, he had once come on a visit to Chinsura where he had spent so many years of his college life. On that occasion he stayed there for more than a month, as it was during the recess of the Court on account of the Great Pooja. On coming to know that Dwarka Nath had been living in the neighbourhood, Nil Chunder paid him a visit, and what was his surprise when he met a most cordial reception at his hands, time and change of circumstances not having had any effect on his conduct. Before taking leave he invited Dwarka Nath to a dinner at his house. Dwarka Nath gladly accepting the invitation came the next day to his friend's where he received a most splendid reception and was shown to a seat which had been specially reserved for him. That seat was much higher and more gaudy than that of the other guests. Dwarka Nath not only expressed his displeasure at this distinction which was made in his favour but actually reprimanded Nil Chunder for having done so ; and instead of occupying that seat, he sat with the rest and at the feast dined in company.

Denobandhu Sanyal who has written a Life of Dwarka Nath was also a friend of his. This friendship, however, was not contracted at school or college, it sprang up after Dwarka Nath had become the leader of

the native bar and at a time when the eminent pleader was spending one Dusserah vacation at Monghyr, where Denobandhu had a bungalow close to the ramparts of the Fort. During his stay at that old historic town Dwarka Nath used to call at Denobandhu's regularly every evening. The situation of the place was very fine if not picturesque. On one side it commanded a full view of the noble river, on the other it was bounded at a distance by the Khuruckpore hills. As Denobandhu says "There, of many a calm evening or autumn moon-lit night, seated on his chair surrounded by a group of admiring friends, did he re-call many of the stirring events of India's past with all their burning passions and absorbing interest; and in delivering himself hold his audience almost spellbound." This reminds one of the talismanic effect which the varied conversation of the great literary dictator of the eighteenth century had upon the little club of which he was the head, a club which numbered among its members such men as Burke, Goldsmith and Reynolds. Like Johnson, Dwarka Nath generally monopolised the conversation at the meeting, and yet nobody ever took any objection to his doing so, so instructive and entertaining was the discourse with which he held his audience in silent admiration. Though Dwarka Nath's friendship with Denobandhu had its origin later in life, yet it was none the less deep and sincere. As they generally resided in two different places, one at Calcutta and the other at Berhampore, they kept alive the warmth of their friendship by means of epistolary communication. The letters are not forthcoming save and except one which Dwarka Nath had written from his Bhowanipore house on 1st December 1869. It appears that Denobandhu had written some letters to Dwarka

Nath but did not receive any reply. Denobandhu may have considered himself a little offended at such conduct on Dwarka Nath's part and it is very likely that he had ceased writing to him. At last, at the request of the Secretary to the Social Science Association who had asked Dwarka Nath as its Vice-President to deliver an annual address but had not received a reply in time, he resumed the correspondence, this time with remarkable success, and the letter referred to above which is a characteristic one of its kind was sent in reply. This letter plainly shows what an admirable friend Dwarka Nath was, and as it seems one of the very few that have been preserved of the various correspondence that passed between the parties, we reproduce it below from Denobondhu's book. The letter runs as follows :—

“My dear Friend,—I must beg your pardon ten thousand times for my past neglect in replying to your last two letters. I cannot blame you for the construction you have put on my conduct, although I can assure you from the very bottom of my heart that it did not proceed from the coolness of declining friendship. I will tell you the whole truth, for I am awkward at fibs. Procrastination, they say, is the thief of time, and it is to procrastination that I am indebted for the charge you have justly preferred against me. Every time I thought of writing to you, I was obliged for some reason or other to put it off till to-morrow. That to-morrow never came, for when it came the idea had completely slipped from my memory. I cannot put this forward as a justification, but I plead it in mitigation of the sentence and I know your good heart too well to despair of forgiveness. I am perfectly ashamed of myself and all that I can do is to promise that I shall be more dutiful in future.



"I am glad to learn that you are coming to Calcutta, but I will be very angry with you if you do not put up with me this time. As to my delivering an Address in the Social Science Association, it is almost an impossibility. My views on the subject are yet crude and confused, and I do not like to rush before the public merely for the purpose of humbugging them.

Your most sincere Friend,  
if you believe me,

(Sd.) DWARKA NATH MITTER.

The above letter speaks for itself and shows beyond a shadow of doubt that the writer of it was really one of the brightest ornaments to society. Although in point of rank, riches and respectability there was an ocean of difference between the person writing and the person written to, still the language used by the one to the other was that of a suppliant asking pardon of a superior for some fault or laches on his part. Dwarka Nath was certainly to blame for having neglected to reply to two letters in succession, but in view of his very high position the offence, venial as it was, was no offence at all in his peculiar case. But so far from assuming an air of arrogance or even making light of the matter he made a virtue of humility and pleading guilty to the charge which had been preferred against him appealed to the goodness of the party offended for exculpation. We have every reason to believe that the appeal so feelingly made had its desired effect, and that Denobandhu being more than reconciled, gladly put up at the house of Dwarka Nath when next he came to Calcutta.

From what we have stated above, it is abundantly clear that Dwarka Nath was a model friend, who looked

upon friendship as something sacred and dealt with it in a manner which showed that he put a very high value upon it. He was also a model relative, who was always ready to help his kith and kin in any way he could. This help was not confined to supplying their pecuniary wants or getting them out of the difficulties in which they may have fallen, but extended also to aiding them in edifying their minds and making them rise high in the world. Having found one of his cousins—a son of his maternal aunt—very smart and intelligent, he expressed a wish to send him at his own expense to England for purposes of education, and if his uncle, that is, the father of the boy, had given his assent to the proposal, he would certainly have carried out his wish. That cousin of his is still alive, and it is to him that we owe this piece of information which tells so much in favour of the remarkable loveableness of Dwarka Nath for those fortunate few who claimed relationship with him. Indeed, noble minded as he was, he was kind to his relations and assisted them in every possible way, of course when he thought that there was a real necessity for it.

Besides relations there were many others who were dependent for their existence on his bounty. Though perfect strangers, so far as relationship by blood or marriage went, yet they were never given any occasion for feeling that they were so. Indeed, they were regarded as *bonâ fide* members of his household and were treated as such, no distinction being made in the matter. As we have already stated, Dwarka Nath used to take his morning meal along with the rest at which one and the same kind of food was served to all without any discrimination. Dwarka Nath was a true lover of humanity and he looked upon the whole human

race as brethren. He regarded titular distinction as having no real value. To his mind

“Rank is but the guinea stamp,  
And Man's the gaud for a' that.”

This love of humanity which seemed to have been ingrained in his nature received its full development after he had read and studied the works of that great French philosopher who has secured a very high seat in the Temple of Fame for having discovered and promulgated what is so felicitously called *Positive Philosophy*. No wonder that such a man should have been affectionately disposed towards his kindred, friends and dependents. As a friend Dwarka Nath was true and sincere; as a relation, affectionate and condescending; as a master, kind and forgiving. Indeed, he was a man of whom any country or age would be justly proud. May his laudable memory ever remain fresh in the minds of his countrymen!

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## CHAPTER VII.

### ELEVATION TO, AND EARLY YEARS ON, THE BENCH.

Shambhoo Nath Pundit, who had been raised to the position of a Judge of the High Court died on the 6th June, 1867 thus creating a vacancy on the bench.

One day in July while Dwarka Nath was sitting in the Pleaders' Library, and was engaged in conversation with a small body of professional friends, an envelope bearing the frank of the Government of Bengal was placed in his hands. It was found to cover a note from Sir William Grey, then Lieutenant-Governor of Bengal, asking him to call by an early opportunity. Considering the position of the personage by whom the letter was

addressed and deeming the necessity for an interview urgent, Dwarka Nath at once drove down to Belvedere, and there for the first time learnt to his great surprise that Sir Barnes Peacock, the Chief Justice, had recommended him for the vacant Judgeship, and that the Viceroy approving the selection wanted to know if he could send up the nomination to Her Majesty's Government for sanction. An offer so gracefully made had a charm of its own and could not be possibly declined ; and although by accepting it Dwarka Nath would be considerably a loser in a pecuniary point of view, still he made light of such worldly consideration and allowed himself to be guided by a noble desire to serve his country from a higher platform. His appointment, as had been expected, was hailed with general satisfaction, the press, the public, and the profession being of one mind in the matter. His brother pleaders in their ecstasy of joy feted and feasted him to their hearts, content ; and in thus honouring him they only honoured themselves, inasmuch as their noble guest had immensely improved the tone and raised the status of the Native bar which in the old days of the Sadar was not held in repute. The work which Roma Prasad had so well begun was completed by Dwarka Nath in its full integrity. On receipt of the letter of appointment the new Judge took his seat on the Highest Tribuna in the land, a seat which he was destined soon to adorn with a brilliancy which is likely to stand unsurpassed in the judicial annals of India, at least so far as the natives of the soil are concerned.

The life of Dwarka Nath presents one long-drawn vista of successes and triumphs. There was something out of the common in his boyhood, and equally extraordinary was his career in college. Then when he

entered the wide arena of the world, his usual good fortune attended him and he made a name at the crowded Bar which stands almost unparalleled in the forensic annals of the country. Lastly, when placed in the highest post a native of the soil could aspire to, he no less successfully acquitted himself and gave entire satisfaction both to the profession and the public. Success at the Bar is no sure guarantee for success on the Bench. Indeed, it often proves otherwise. No Britisher rose so very high in the profession as Erskine did. His was a most brilliant career at the Bar, before which the minor luminaries had to hide their diminished heads. In fact, what Berryer was in France, Erskine was in England : he reigned supreme and had no equal in the profession. But on being elevated to the Wool-sack he seemed to have lost a considerable portion of his former lustre and proved only an average Judge. The case of Erskine, however, does not stand unique, it is only one out of many. But our hero is an exception to the general rule. Dwarka Nath did equally, if not more brilliantly, shine on the Bench, and his judgments are still the theme of admiration amongst Judges, Barristers and Vakils.

Although he had never received the regular training of an English lawyer, still he could successfully grapple with ticklish points of English law and triumphantly meet the English lawyer on his own ground. This fact was testified to by some of the leading counsel of the day. Referring to Mr. Montriou, than whom a better judge of judicial merit Calcutta did not possess at the time, the talented editor of the *Hindoo Patriot* observed:—"One of them, a severe critic and very chary of praise more than once described Dwarka Nath as a genius. Himself an eminent jurist, he often wondered how

Justice Mitter, without possessing the hard professional training which English lawyers received, could grapple so successfully and meet so triumphantly the English lawyer on his own ground." Some of Mr. Justice Mitter's decisions are masterpieces of their kind and well deserve to serve as models for future Judges to be guided by. Not a few disputed points of Hindu and Mahomedan law have been settled by him, and in that respect his judgments might be regarded as very good specimens of judicial legislation in this country.

Dwarka Nath possessed in an eminent degree almost all the qualities of a Judge. As was well said by the late Justice Louis Stewart Jackson in a meeting held on the 2nd March 1874 :—" His extensive acquirements, varied learning and rapid perception, his keen discernment, his retentive memory, his clear good sense and his instinctive love of justice—all made him a most valuable colleague, and one with whom it was a real pleasure to share the labours of the Bench. Amongst his more brilliant, though less important, qualities was his surprising command of the English language ; the readiness, precision and force with which he used that language are not common even among those who speak it as their mother tongue, and were the theme of constant admiration." No wonder that such a remarkable character achieved signal success on the Bench,—a success which had no parallel or precedent in the past and which probably will also have none in the future. Almost immediately after taking his seat on the Bench Dwarka Nath commenced delivering judgments along with his colleagues, who were veterans in the service. On the 19th July 1867, that is only four or five days after he took his seat, he sat with Mr. Justice Seton-Karr in the case of *Gobind Nath*

*Sandyal vs. Nobo Coomar Bannerjee*,\* and delivered judgment therein,—a judgment which did no small credit to a mere tyro in the matter of administration of justice. A couple of days after, he sat with Mr. Justice Loch, another veteran Judge, and delivered judgments in two cases. In this way he went on discharging the functions of his high office with credit to himself and advantage to the public. But far greater honour was in store for him in the following year. In that year he was taken as a member of the Full Bench in several important cases, and the judgments which he delivered in these cases plainly showed that a master mind had joined the highest phalanx of the judicial army. In August 1868, the case of *Sheikh Ruhumutollah vs. Sheikh Shurintoollah*† was heard by a Full Bench of five Judges, including the Chief Justice, Sir Barnes Peacock. In that case the question for determination was whether in a suit brought to establish the plaintiff's right to certain land, alleged to have been purchased by him, the contents of the deed of sale, which had remained unregistered, could be proved by secondary evidence. The majority answered the question in the negative and held that the suit was not maintainable. Dwarka Nath, taking a common sense view of the matter, differed from the rest and passed a judgment which for its admirable lucidity and clear forcible reasoning deserves to find a permanent place in the judicial records of the country. In that case the Chief Justice, though he could not adopt the view taken by Mr. Justice Mitter, expressed deep regret at having had to differ from him. At the very outset of his judgment Sir Barnes said:—"I regret very much to

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\* See 8 W. R., Civ. R., p. 206.

† See 10 W. R., F. B., p. 51.

differ from my Hon'ble colleague who first delivered judgment, because I always consider his opinion is entitled to very great weight ; but I am forced to form my own opinion on the subject."

In September of the same year there was another important Full Bench case in the decision of which Mr. Justice Mitter was allowed to take part ; we refer to the leading case of *Amrit Kumari Dabee vs. Luckhee Narain Chuckerbutty*, reported in 10 Weekly Reporter, page 76 In that case the question for consideration was whether, according to the Hindu law as current in the Benares School, a sister's son was entitled to inherit as a *bandhuor cognate*. Mr. Justice Mitter delivered the main judgment of the Court, holding that a sister's son is heir and that the list contained in Article I, Section 6, Chapter 11 of the Mitakshara does not purport to be an exhaustive enumeration of all *bandhus* who are capable of inheriting. All the other Judges expressed their concurrence in the view so ably and learnedly advocated by him. Sir Barnes, while expressing his concurrence in it, paid a very well-merited compliment to the great judicial ability and profound learning of his native colleague. He observed :—"The judgment of Mr. Dwarka Nath Mitter, which he has just read and in which he had displayed great learning, ability and research, was written before the decision of the Privy Council in *Giridharilall vs. The Government of Bengal* was published. My Hon'ble colleague has entered so fully into the reasons and exhausted the arguments in support of the view which he has taken, that it is unnecessary for me to do more than to say that I concur in the reasons, which he has given in support of the conclusion at which he has arrived ; and it



is extremely satisfactory to find it is entirely in concurrence with the view taken in the judgment of the Privy Council." These remarks speak for themselves and go to show how very high was the estimation in which Justice Dwarka Nath was held by his Chief—a Chief who was one of the brightest ornaments to the judicial service in general. About the same time, if not on the same day, another Full Bench case was decided in which Justice Dwarka Nath, as was his wont, took an active part. The case we refer to is that of *Nya Tha Yak vs. F. N. Burn*,\* which was a Reference by the Recorder of Moulmein. In that case the question was which party, whether the decreeholder or the claimant, in a proceeding under Section 246 of Act VIII. of 1859 was to begin. The majority held that the claimant was to begin; but Justice Dwarka Nath was of opinion that the *onus* lay on the judgment-creditor who had caused the attachment to be made. The Chief Justice, though he did not adopt the view entertained by his Hon'ble colleague, was, however, candid enough to say that he spoke "with great deference" to it. Indeed, whenever that great Judge found it necessary to differ from Mr. Justice Mitter, he did so with a deal of diffidence. Sir Barnes had great regard for Dwarka Nath, and he never allowed an opportunity to pass without eulogising him for his high judicial qualities. He found great pleasure in sitting with him on the Bench, knowing full well that as a colleague he would be of very great use to him in administering fair and even-handed justice. As both the Judges were of congenial minds and were actuated by the same ardent desire to do justice, they seldom differed in opinion, and when they did so differ, they differed with considerable

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\* See 11 W. R., F. B., p. 8.

hesitation. And, indeed, there were not wanting occasions on which young Dwarka Nath got the old veteran to change his views. This occurred notably in the Full Bench case of *Ferman Khan vs. Bhairub Chunder Shaha Chowdhry*,\* and the good Chief Justice candidly declared that the very clear and forcible arguments which Mr. Justice Mitter had advanced in support of his view made him alter his own strong opinion on the point. His Lordship proceeded to say :—" I must confess that when I came into Court before the case was argued and, even after I had left the Court, my opinion inclined in favour of answering the question in the negative. I then considered that the right which is claimed by the plaintiff depended on a defect of title on the part of the co-parcener to sell his share of the property except subject to the right of the plaintiff to purchase it, *i.e.*, his right of pre-emption. But I am now satisfied that the right claimed by the plaintiff does not depend on any defect on the part of the co-partner to sell, but upon a particular rule of Mahomedan Law by which neither the defendant nor the Court is bound."

The profession and the public also held Dwarka Nath in high esteem. Mr. Pitt Kennedy, an eminent member of the Calcutta bar and who also acted for some time as a Puisne Judge, only voiced general sentiments when he said that, " No judge inspired us with more confidence for a high intellect, for none had we a higher respect, and there were few indeed, if any, who, we felt more certain, would take the most accurate, and at the same time widest view of every question that was placed before him for decision." † All this flattering testimony to his real sterling merit as

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\* *Vide* 13 W. R., F. B., p. 21.

† See his speech at Court on 2nd March 1874.

a Judge was also shared in by the Government he had the honour to serve. In deploring his loss, the Viceroy was pleased to record that "Justice Mitter was a most learned, upright, and independent Judge."

But not only was Dwarka Nath remarkable for the greatness of his head, he was also remarkable for the goodness of his heart. His amiability, his generosity, and independence of character were too well known, and that very quality, which perhaps to a certain extent marred his completeness as a Judge, to wit, the great earnestness and vehemence of his conviction, only added to the charm of his character in private life. Referring to this peculiar feature of his mental organism that Civilian of Civilians, old Mr. Justice Kemp, thus observed at the Dwarka Nath Memorial Meeting over which he presided :—"As a Judge—and I speak with affection and respect to his memory—his only fault (and who amongst us is without fault) was that he was too impulsive. He lacked what I consider a great gift in a Judge, and that is impassiveness on the Bench. He was somewhat apt to take a case prematurely into his hands ; but when we consider the learned judgments he delivered from time to time—when we call to recollection that so great a lawyer as Sir Barnes Peacock differed from him with diffidence—when we remember that his judgments in the High Court on points of Hindu law were accepted as remarkably correct—the little errors which arose from impulsiveness, and which I can only attribute to his having been so long an advocate, will be forgotten and everybody will remember what an eminent, and just and great Judge he was." To this charge of "impulsiveness," old Mr. Montriou, who was present at the meeting, demurred and in reply said :—"With all deference to what they

had heard from the Chairman respecting Dwarka Nath's qualities as a Judge, he would say that the position of Judge was that which best became him, and few, indeed, who had opportunities of seeing him on the Bench but would bear witness to the fact. While he (Mr. Montriou) spoke of his qualities as a Judge, he felt he had very difficult ground to tread upon. But he should not be doing his duty were he to remain silent. No Government or Administration or Representative power resembled the office of a Judge. A Judge represented an ideal, an unattainable one,—they could never hope to have a perfect Judge. He would remark that the best judges of Judges were not co-Judges seated side by side, but the public were. The suitors could say candidly and well, why they valued a particular Judge, and what were their objections to another. Few, indeed, if any, were the objections raised against Justice Dwarka Nath Mitter. He saw around him advocates, English and Native, and would ask them if they ever heard the slightest objections to a case being brought before Justice Dwarka Nath Mitter. Was ever any one dissatisfied with Dwarka Nath's decision? Was ever any one disappointed in him? He thought not. That being so, there was something remarkable and worthy of admiration in him as a Judge. He was possessed of high intellectual gifts, but he was not honoured for these alone, but for that unswerving rectitude of character which was a natural endowment and which marked him out for that peculiar office, to the standard of which he certainly came as ever mortal man could." As a matter of fact, Dwarka Nath's impulsiveness on the Bench, to which exception was taken in some quarters, was rather apparent than real. Indeed, his great judicial

eagerness generally proceeded from strong convictions joined to perfect frankness and fearlessness of character, and it could not be denied by any one that as a judge he was always straightforwardly right, though perhaps not always technically correct. In connection with this matter it may not be amiss to mention that in the memorable Contempt of Court case in which Mr. William Tayler was defendant, Sir Barnes Peacock described Dwarka Nath (against whom that gentleman had written strongly in the *Englishman*) as "a man of ability and learning, very unassuming, yet high-minded, of a gentle, kind and amiable disposition, independent, and always ready to maintain an opinion so long as he conceived it to be right, and equally ready to abandon it if convinced it is wrong." Indeed, a perfect, all-square judge is, as was remarked by Mr. Montriau, a moral impossibility ; but so far as judicial perfection is attainable by humanity, that amount, or at any rate, a considerable portion of it, was found in Dwarka Nath, and if one would be inclined to institute a comparison, he would not be far wrong if he called him the Indian Mansfield.

SHUMBHOO CHUNDER DEY.

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## ACKNOWLEDGMENTS.

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# THE CALCUTTA REVIEW.

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*July 1911.*

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*No man who hath tested learning but will confess the many ways of profiting by those who, not contained with stale receipts, are able to manage and set forth new positions to the world; and were, they but as the dust and cinders of our feet, so long as in that notion they may yet serve to polish and brighten the armoury of truth, even for that respect they were not utterly to be cast away.—MILTON.*

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# THE CALCUTTA REVIEW:

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No. 265.—JULY 1911.

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Art. I.—MARK TWAIN.

## A SKETCH.

**S**PEAKING of Mark Twain's reporting days the men of the San Francisco *Call*, once told Rudyard Kipling that as a reporter the world humorist was a decided failure. "He was," said they, "delightfully incapable of reporting according to the needs of the day. He preferred to coil himself into a heap and meditate until the last minute. Then he would produce copy bearing no sort of relationship to his legitimate work—copy that made the editor swear horribly and the readers of the *Call* ask for more."

The anecdote is delightfully typical of the nature of the man—a nature in which humour, philosophy and a hatred for any work of a stereotyped character are strangely mingled.

Samuel Langhorne Clemens was born in the little town of Florida, Munroe County, in the year 1835. Shortly after his birth his parents removed to Hannibal, a sleepy slave-holding river town, in Marion County, and it was here that his boyhood was passed, a boyhood so graphically and consummately portrayed in the two boys' romances of "Tom Sawyer" and "Huckleberry Finn." There is no reason to suppose that as a boy

he was remarkable for anything but mischief ; school work, with the exception of spelling and history, in both of which subjects he took an interest almost prophetic in its future implications, he shirked systematically, and with an ingenuity worthy of a nobler cause. At home his relations with his father are described as strained,—a sort of armed neutrality, so to speak, a state of affairs complicated no doubt by the habit of smoking which he had commenced to indulge in at the tender age of eight.

When he was twelve years old his father died, and he was apprenticed as a printer to the office of the *Hannibal Weekly Courier*. "Life," says he, "was easy with us ; we always suspended when the fishing was good, and explained it by the illness of the editor, a paltry excuse, because that kind of a paper was just as well off with a sick editor as a well one, and better off with a dead one than with either of them."

At the age of fifteen Sam started eastward to seek his fortune, working his way through to New York as a tramp printer. For the next two years his career is a record of variegated vagabondizing. Wandering from city to city, working at odd jobs when necessity and want made it imperative, he might have continued leading a weird semi-nomadic existence, had not his earliest ambition, the desire to be a pilot on a Mississippi steamboat, overcome him on the occasion of a visit to St. Louis. The experience of life in the river town brought back his longing for river life, and boarding a large boat, the *Paul Jones*, he laid siege to the heart of one Captain Bixby, the pilot, who has thus described him : "A tall, angular, hoosier looking fellow whose limbs appeared to be fastened with leather hinges, and who was always drawling out dry jokes."

The phrase "by the mark twain" was a frequent one in the mouths of the linesmen of Mississippi boats owing to the frequent occurrence in the river of shallows and sand banks, and it was this specimen of the river vernacular that furnished the humorist with the *nom de plume* that was before long to be a household word to the nations.

On the outbreak of the civil war Sam "dropped piloting," and enlisted as a volunteer in the confederate army under General Price. Within the short space of three weeks, a period that embraced all the soldiering he ever did, he contrived to cram the varying experiences of capture, confinement in a tobacco warehouse, violation of parole, re-capture and escape. The fear of recognition by men of the Union Army induced him to leave civilization for a time, and try the luck of an out-of-the-way mining camp. Aurora in Nevada, swarming as it did with a picturesque population of gamblers, murderers, escaped criminals, wild young men from the colleges, and outcastes generally, was a place eminently suited to his needs. The fashionable ornaments of the place have been described as an 8-inch revolver, an Arkansas toothpick, and a pair of jack boots. To Mark Twain the life in Aurora was rich with all the glamour and freshness of a new experience. His senses were peculiarly susceptible to outward impression, and the world of the little mining camp opened to him. Seldom indeed has the golden harvest of experience, crystalised, in any account of the Wild West, with the vividness and charm of "Roughing It." Many of the sketches ultimately incorporated in that work, and the "Jumping Frog," first saw the light at this period, some in local papers, and a few in the Eastern magazines. These early efforts gained the humorist a wide and wholesome



popularity, and in the following year Mark received an offer of the local editorship of the *Virginia City Enterprise*. Before departing from Aurora to take up his new duties, he was for the space of a few moments the owner of untold millions. The *Comstock Lode* was a name unknown, till Mark Twain sold his claim to the fortunate prospectors.

On the staff of the *Enterprise* his sketches, and an irrepressible propensity for practical joking, earned the humorist a mixed reputation, and many are the wonderful legends told of his life in Virginia City. On one occasion, Mark's merciless pen drove a certain unfortunate by the name of Willis, at that time City Editor of the *Virginia Union*, to attempt retaliation. As a preliminary he started hunting up the young fellow's record, with the result that he was immediately challenged to mortal combat. He declined, saying that on a field of honour, he would meet no one but a man of honour. His second, however, entertained no such scruples, and on hearing the ultimate decision of his friend, accepted Mark's challenge as a favour done to himself. But now Mark in turn declined the invitation to "come out," giving, it is said, as the ground for his refusal, the same reason as that put forward by Willis.

"The remains" was a term applied by the printers of the *Enterprise* to one of Mark's most cherished possessions, a particularly vile, evil-smelling pipe that he was seldom seen without. Twain had been deaf to all entreaties, absolutely refusing to discard it and at last the printers determined to make him suffer. They scoured the town for the cheapest pipe they could find, and one night filing solemnly into the "local" room presented it to Clemens as a gift from

the composing section. They threw as much ceremony into the event as the nature of the circumstances would warrant, and one of the men is said to have delivered an address touching upon the warm friendship that existed between the "local" department, and the composing room, upon their long nights of labour, the solace of tobacco, and the silken ties that bound all toilers in the great profession of journalism. Twain was visibly affected. He spoke of how the old pipe had been a companion and a comforter of his lonely hours, how this new gift from friends he loved would make parting with it easy, and how he long hoped to cherish their present as a souvenir of pleasant days. Then he flung the old timer of a hundred smells out of the window, and invited them "downstairs." On the following night the new pipe split from bowl to mouthpiece and the men in the next room heard the smoker swearing softly to himself. The next day he went down into the backyard and returned with "the remains."

The tyranny of a restless disposition drove him at this time to visit San Francisco. He had already from time to time been supplying the *Morning Call* with correspondence, and finding himself in a chronic state of impecuniosity on his arrival at the "Golden City," he betook himself to the office of that paper. A ragged felt hat, an ancient military overcoat, and trousers which had formed a passing acquaintance with his boots, made up his wearing apparel. In this condition he presented himself to George Barnes, the editor, and received an appointment; also an order on the business office for money enough to make himself look respectable. For six long weary months Barnes tried to get some work out of him, and then one day called him into the office and said: "Mark, don't you think you

are wasting your time doing local work? With your talent you could make more money writing for first-class magazines." "That," replied Twain, putting his feet on the desk, and smiling blandly at Barnes, "means that I am not the kind of man you want." "Well if you will have it," said Barnes, "you are not. You are the laziest, most shiftless good for nothing specimen I ever saw around a newspaper office. I have tried for six months to get some work out of you, and failed." "Barnes," replied Twain, "you are not as smart a man as I thought you were. You have been six months finding that out, and I knew it the first day I came to work. Give us an order on the office for three days' pay and I git."

On one occasion, while at San Francisco, Clemens was standing against a lamp post at the junction of two streets holding a cigar box under his arm, when he was accosted by a beautiful and very witty woman, a certain Mrs. Edward Poole,—“Why Mark, where are you going in such a hurry?” (*sic*) said she, holding out her hand. “I’m moving,” drawled Mark, opening the cigar box and disclosing a pair of blue socks, a pipe, and two paper collars.

In 1866 Clemens sailed for Honolulu as newspaper correspondent, and his sketches and letters describing scenes and incidents in the Sandwich Islands are fresh with all the freshness and charm of one who “needed not the spectacles of books to read nature.” His thrilling description of the burning crater some miles in circumference, the skit on the immortal steed Oahu, and the characteristic fragment about the stranger who swooned with joy, at having at last come across a man who possessed no titles and held no official positions, are

pictures vividly spontaneous, and rich with the glistening incrustation of an art that is, in no place, flat or conventional.

Shortly after his return to the States, there came to Mark Twain the flood time of the tide of his fortune, and he was quick to seize it. Through the efforts of General John McComb, one of the proprietors of the *California Alta*, the humorist was enabled to form one of the party that sailed in the *Quaker City* on a pleasure excursion to Europe the Holy Land. The result is well known. "The Innocents Abroad," a work which, by virtue of its singular novelty, if of nothing else, startled a conservative press into a frenzy of indignant protest, sold as no book, with the exception of "Uncle Tom's Cabin," had ever sold in America. Some historic genius writing in the *Saturday Review* gravely reviewed it as a book of travel, a critical achievement that called forth a long burlesque from the pen of the delighted author.

"Let the cultivated English student of human nature," says the skit, "picture to himself this Mark Twain as a person capable of doing the following described things. He states that in Florence he was so annoyed by beggars that he seized and ate one of them in a frantic spirit of revenge. There is, of course, no truth in this. At Epesus, when his mule strayed from the proper course he got down, took him under his arm, carried him back to the road again, pointed him right, remounted and went to sleep contentedly till it was time to restore the beast to the path once more. He states that a growing youth among the ship's passengers was in the constant habit of appeasing his hunger with soap and oakum between meals. He mentions that he cut a Moslem in two in

broad daylight in Jerusalem with Godfrey de Bouillon's sword, and would have shed more blood if he had had a graveyard of his own. He affirms that in the mosque of St. Sophia at Constantinople he got his feet so stuck up with a complication of gums, slime, and general impurity that he wore out two thousand pair of boot jacks getting his boots off that night, and even then some Christian hide peeled off with them. It is monstrous. At Rome he discovers for the first time that Michael Angelo is dead, and then instead of crawling away and hiding his shameful ignorance somewhere, he proceeds to express a pious satisfaction that he is gone and out of his troubles. The book is absolutely dangerous."

This bald misconception of the spirit of the work, so cleverly caricatured by the author, is, however, surpassed in absolute profundity of denseness by the remark of a Pennsylvania clergyman, who sadly returned the book to the newsagent with the words: "The man who can shed tears over the grave of Adam must be an idiot."

When the *Quaker City* sailed homeward Mark Twain was paying deep attention to one of his fair fellow-passengers, a young lady of position and fortune, Miss Lizzie Langdon, the daughter of Judge Langdon of Elmira; and the subsequent history of his courtship is not by any means the least romantic, among the many singular passages of a romantic and wonderful life. He was twice refused, and tradition has it that he took his sorrow with characteristic drollness. "Well" said he to the lady, "I didn't much believe you'd have me, but I thought I'd try," and again "I think a great deal more of you than if you'd said yes, but it's hard to bear." On the happy occasion when he was at last accepted he

determined to address his sweetheart's father without delay. "Judge," said he, entering the millionaire's apartment in obedience to the genial "come in," "have you-er-seen anything between Miss Lizzie and me?" "What! What!" exclaimed the prospective father-in-law. "No sir, no indeed, I have not." "Well," drawled the humorist, edging towards the door, "look sharp and you will." Matters soon came to a head, and one day the judge called the young journalist to him, and addressing him on the subject of his daughter's welfare, demanded the names of friends who might be in a position to supply reliable references. Mark gave him a string of those of well known and highly influential men, terminating the list with the remark that only his natural modesty had restrained him from voluntarily tendering character testimonials, and further that the owners of the names would all lie for him just as he would for them in like circumstances. When the letters arrived, however, they were all bitterly denunciatory in tone, especially deriding his capacity for becoming a good husband. "Well," said Mark, who sat beside his *fiancée* while the old gentleman was reading out the letters, "That's pretty rough on a fellow anyhow," but his betrothed came to the rescue and overturned the entire mass of hostile testimony with the words "I'll risk you anyhow." The last act in the little drama of his chequered courtship materialised in a fashion none too frequent in the life of a struggling author. Clemens had instructed his friends in Buffalo to select a suite of rooms at a first-class boarding house in the city, and to arrange for a conveyance to meet him and his bride at the railway station. Accordingly on their arrival the couple were met at the station by a smart turnout, driven to a handsome house on an aristocratic street, and to their intense surprise received at the door

by the bride's parents who in order to welcome the young people home had arrived privately by special train. The couple were conducted through the rooms, and as Mark's eye roved in "fine frenzy" over the expensive furniture, and rich hangings, his opinion of his friend's judgment as providers of moderately priced boarding houses, dropped to zero. And then, says the *Chronicle*, the door of a closet burst open, disgorging a battalion of ambushed friends and relatives who pressed round the startled pair with the news, that house and carriage were all his own—a present from his wife's parents. His wonderful deep set dark eyes dimmed with a suspicious moisture but the inimitable drawl was not to be suppressed; "Well," he remarked, "this is a first-class swindle."

In 1870 Mark Twain took up his residence in Hartford, Connecticut, and shortly after sailed for Europe. From this time dates the period of his maturer work as novelist and platform speaker, in Europe and America. Chief among the books produced after his return from Europe is "A Train Abroad," a work which, as a study of German character and customs, has been considered to stand in point of accuracy, minuteness of detail, and vitalising power, second to none in the English language. In this volume the reader makes the acquaintance of the long suffering Harris, guide, courier, and unfortunate butt of embarrassing situations generally; "the Awful German language" is herein discussed with suggestions as to the improvement of its interminable males, and unnatural females and neuters, and last the glorious Gambetta duel is described—described in a way that brings anguish unto the heart of every true born Frenchman. In connection with Mark's platform speaking an illuminating anecdote

is told which refers to an occasion on which the humorist, who was taking an active interest in the presidential campaign of 1880, introduced to a republican meeting, a certain candidate, General Howley by name. "I am here," said the humorist, concluding the usual formalities incident to the event, "to give him (General Howley) a character from his last place. As a citizen I respect him, as a friend I have the warmest regard for him, as a neighbour whose vegetable garden adjoins mine, why—why I watch him. So broad, so bountiful is his character that he never turned a tramp empty-handed away, but always gave him a letter of introduction to me. Such a man in politics is like a bottle of perfumery in a glue factory, it may modify the stench, but it does not destroy it." On one occasion when Mark Twain was making a lecture tour in the South, an enthusiastic but misguided young man, managed after some difficulty to secure an introduction to the humorist. Said the youth. "I have read all your writings Mr. Twain, but the one I like best is the 'Heathen Chinee.'"<sup>\*</sup> Mark shook the young man's hand with fervour. "My dear sir," said he, "I am pretty well used to compliments, but I never received one which gave me equal satisfaction. A thousand thanks." And the young man replied: "You are perfectly welcome Mr. Twain, I am sure you deserve it."

Shortly after his return home from this lecture tour, a characteristic story is recorded of the way in which the humorist declined an offer, made him by a leading publisher, who was especially desirous of securing a certain contribution regardless of price. "My dear Sir," drawled the humorist, "I have just got a

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<sup>\*</sup> A humorous poem by Bret Harte.



thundering book through me, and an awful lecture course through the people of this unfortunate land, and I feel like an anaconda that had swallowed a goat. I don't want to turn over or wiggle again for six months." Once, when at his wife's desire, Mark Twain called on Mrs. Stowe, the authoress of *Uncle Tom's Cabin*, who was a neighbour of the Clemens', he suddenly discovered that he had neglected to put on his collar and necktie. On his return home, he informed his exasperated spouse, that he was going to put the matter right, and shortly after sent over to Mrs. Stowe a box containing a collar and tie. A similar story is that, which pictures the humorist as failing at one time, through pressure of work, to attend personally to his correspondence, with the result that Sarjeant Ballantyne, the English author, was kept waiting a considerable time for a reply to a letter he had written to the humorist. Growing impatient, it is said, he posted Clemens a gentle reminder in the form of a sheet of letter paper and a stamp. By return of mail he received a postcard with the words : " Paper and stamp received. Please send envelope."

On the failure of the publishing house of Charles L. Webster and Co., Mark Twain was heavily involved. The fortune which he had with such toil built up for himself was swamped in the firm's liabilities, and like another great author before him, Mark Twain set himself towards the evening of his days, to build up sufficient to pay all debts. Unlike Scott he succeeded marvellously and died a millionaire.

Samuel Clemens passed away in 1910, wife and children having preceded him on the long road.

Much has been written about Mark Twain's exactness of habit, and his unswerving fidelity to routine

during later life. Be that as it may, the testimony of friends of his younger days affords overwhelming evidence in favour of the view, that his habits at least before his marriage, were nothing, if not Bohemian. His room has been described as a perfect chaos, and his table, a curiosity in its way. "On it could be seen anything from soiled manuscript to old boots. He never laid his paper on the table when writing, partly because there was no available space and partly because the position so necessitated was too much for his lazy bones. With both feet plunged in manuscript, chair tilted back, note book and pencil in hand he did," says a friend, "all the writing I ever saw him do." Whatever work he happened to have on hand, was done during the day, the evening being given over to strolling about the street. He would return home at midnight and would sit up far into the night reading, smoking, whistling, and singing. Any atmosphere other than one thoroughly saturated with the vilest tobacco smoke, puffed from the most villainous of pipes was utterly inadequate to set in motion the mechanism of Mark's wonderful brain. This pipe, it is said, he utilised with a sort of ghastly delight as a means of defence against the efforts of bores and undesirable people generally. On the subject of his attachment to the tobacco habit, it is interesting to hear the humorist himself: "I began with one hundred cigars a month at the age of eight. By the time I was twenty I had increased my allowance to two hundred, and before I was thirty to three hundred. On three occasions I gave up smoking but what the result was I do not remember. I never wrote articles except under strong impulse and consequently observed no lapse of faculty. But by and by I sat down with a contract behind

me to write a book of five or six hundred pages,—the book called “Roughing It,” and then I found myself seriously obstructed. I was three weeks writing six chapters. Then I gave up the fight, resumed my three hundred cigars, burned the six chapters and wrote the book in three months without difficulty.”

To judge a writer it is necessary to include his thought in ours, and none but the born joker, the man that can keep a straight face while gratifying the risibility of the listener, by the bald absurdity of a narrative elaborately covered by an assumed gravity, can fully appreciate the humour of Clemens. To the almost diabolic incongruity of incident is added in Mark Twain an inimitable drollery in the telling that reminds one more perhaps of the jesters of old time, than of that sparkling coterie of *littérateurs* who, though often destitute of any sense of the ludicrous, yet pass under the name of ‘wits’ But the art of Mark Twain is not the art of the mere buffoon. To the aid of humour he brings a ripe scholarship, a broad sympathy, “a microscopic imagination” and a vein of serious earnestness that make him, as they have made every true literary creator from all time, near and dear to the pulsing human heart. In “the Prince and the Pauper,” “The Yankee at the Court of King Arthur” and indeed all his maturer works, we find large traces of the master hand that has blended, as though in a piece exquisite music, humour with pathos and character with truth. “No man,” says Raleigh, “can walk abroad save on his own shadow;—there is no thrill of feeling communicated from the printed page, but has first been alive in the mind of the author.” And in Mark Twain

the writer, we see Samuel Clemens the man. Like Cervantes a Philosopher below his fooling, like Molière an eternal hater of hypocrisy and sham—always sincere, always direct when striking in earnest. True,

“ We are such stuff

As dreams are made on ; and our little life

Is rounded with a sleep.”

But some there be that “ weave upon the roaring loom of time.”

HENRY KHUNDKAR.

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## Art. II.—HE MOURNED IN A MAD-HOUSE.

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### THE TRAGEDY OF DYCE-SOMBRE.

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“ Like the struck deer in some sequestered part  
That lies to die, the arrow at its heart,  
He, stretched unseen in coverts hid from day,  
Bled drop by drop, and gasped his life away.”

THE life of the Begum Sumru, irreverently styled the “ old Witch of Sardhana,” is, of course, a twice-told tale which has been repeated threadbare. Who is not familiar, for instance, with the story (true or false) of her having a slave-girl buried alive, or that of Her Highness being kissed by Lord Lake at the General's reception of her? Few (if any) of her biographers, however, have extended the narrative to include the doings of her step-great-grandson and heir, David Ochterlony Dyce Sombre.

#### THE MAN AND HIS PEOPLE.

Of nobody can it more appropriately be said that greatness was thrust upon him than the said D. O. Dyce-Sombre, a Chevalier of the Order of Christ and one of the most remarkable and unfortunate men of his generation. He was born at Sardhana, near Meerut, on the 18th December 1808. His great-grandfather, Walter Reinhard (the name is spelt in various ways), who, according to most accounts, was a native of Strassburg and a carpenter by trade, came out to India in 1754. He became a soldier in the service of several Indian princes, acquiring, from the sombre cast of his countenance, the nickname of “ Sombre ” which was corrupted

into "Sumroo" by the natives. He obtained in 1777 from the Emperor of Delhi the principality of Sardhana, which, on his death at Agra on the 4th May 1778, passed to his widow Zeebonisa who became Begum of Sardhana. Portraits of the Begum will be found in the *Indian Review* for 1842, in Sleeman's *Rambles and Recollections*, and in Keene's *Hindustan under Free Lances*, that in the last-named being by Melville. Although these are different portraits, they all represent the old lady grasping the mouthpiece of a *hooka*. She was a remarkably talented person, with a will of her own. Reinhard had left a natural son, named Walter Balthazar Reinhard. Also called Aloysius and Louis, he was otherwise known as Zuffer Yah Khan. This son, by his wife Julia Anne (*née* Lefevre), left a daughter, Juliana, who married George Alexander David Dyce,\* Commandant of the Begum's forces. A son by this marriage was David Ochterlony Dyce, the subject of this article. In the autobiography of Mrs. Sherwood (the authoress of *Little Henry and his Bear*) a most interesting glimpse is afforded of Master David. When Mrs. Sherwood called on the Begum, David, then a lad of five or six, sat behind Her Highness, perched upon cushions, and attired in a full court suit down to sword and cocked hat. The interview over, the little fellow was called upon to hand the visitors out of the tent which he did with the usual etiquette. He was brought up in the house of the Begum Sombre and was

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\* G. A. D. Dyce was the son of Lieutenant David Dyce (see *Bengal Obituary*, page 77). He was of mixed descent (not "a dour Scotchman," as Mr. H. G. Keene styles him) and was educated at the Military Orphan School at Kidderpore during the time Mr. Richard T. Burney (Madame D'Arblay's half-brother) was its Headmaster. Having in some way annoyed the Begum, he was in consequence dismissed from her service in 1827, after which he lived at Meerut in comparative poverty. He died at Calcutta in 1838 (*Bengal Obituary*, page 204).

placed under the tuition, first, of the Rev. John Chamberlain, a Baptist Missionary (*Memoir* by C. B. Lewis) and then of the Rev. Henry Fisher, Chaplain at Meerut, (afterwards Senior Presidency Chaplain) with whose family he stayed for a few years. Although the Begum derived the profession of Christianity from her husband, her feelings and the habits of her household were regulated in accordance with the strictest Indian notions. On attaining manhood Dyce-Sombre joined the Church of Rome. "Davy" Dyce, as he was familiarly called, was latterly educated at the Delhi College and became an excellent Persian and English scholar. He showed no little activity and prudence in the management of the Begum's affairs, and was for many years remarkable for the dutiful and exemplary manner in which he devoted himself to the care of the aged lady. Lieutenant Bacon states in his *Impressions in Hindustan* that even at the age of twenty-five, David was a man of enormous bulk, and, though of a dark complexion, had a fine open countenance expressive of mildness and intelligence. A general favourite with all who knew him, he was of a kind and generous disposition. From being about the person of the Begum ever since his return from school he was invariably brought under the notice of the great public men of the day, such as Lord Amherst and Lord William Bentinck, Governors-General of India; the Hon'ble Sir Edward Paget, Lord Dalhousie, Sir Edward Barnes and others who held chief commands in the Indian Army.

#### THE HERO OF BHURTPORE.

During his residence in India Field-Marshal Lord Combermere became a great friend of the Begum Sumroo's. David Dyce was first introduced to him

at the siege of Bhurtpore, where the Begum had accompanied the British Resident, Lord Metcalfe. So great was the Begum's confidence in Lord Combermere that on one occasion she placed in his own the hand of her adopted son and heir, entreating that he would befriend the boy when at her decease he should go to England for the purpose of being naturalised as a British subject. Holding the lad's hand in his, while he kissed that of the Begum, Lord Combermere promised to protect him. "You shall be my elder son," said the old lady, "and inherit a part of my property." The Begum died on the 27th January 1836. Her age is stated to have been about 89, although the natives believed her to be over a hundred. She erected at Sardhana a stately cathedral, dedicated to the Virgin. Its twin spires, rising in the distance, may be seen by the traveller from the west side of the train, after leaving the city and scattered cantonment of Meerut.\* Some time before her death she made a will bequeathing to Dyce-Sombre the whole of her landed and personal property, and this will she soon after confirmed by another document. Upon the will of the Princess becoming known, the East India Company claimed the lands left to Dyce-Sombre, but allowed him to retain the personal property which was enormous. Dyce thus inherited from the Begum upwards of half a million sterling, which was paid over to him from the Indian Exchequer, where it had been deposited, and he then took the additional surname

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\* For an interesting description of Sardhana, the reader is referred to an article on the subject by the late Archdeacon Saunders Dyer which appeared in the *Calcutta Review* for April 1894; also one no less interesting by Archdeacon Cockin in the *Indian Church Quarterly Review* of July 1893. These articles, however, contain next to nothing about Dyce-Sombre himself; somewhat more information is afforded in that by Mr. H. G. Keene which is contained in the *Calcutta Review* for January 1880 and entitled "Sardhana, the Seat of the Sombres; its Past and Present."



of Sombre. The Begum had, among other charities, made over Rs. 1,50,000 to the Pope (Gregory XVI) to be employed in charity at the discretion of His Holiness, and in consideration of this large gift David Ochterlony was created a Chevalier of the Order of Christ, besides being presented with a splint from the True Cross. The chance inheritor of enormous wealth and the idol of the late Begum, he had, when passing through Rome, honoured her memory by obsequies befitting her rank and dictated by his own affection. A vast cenotaph was erected in the centre of the magnificent church of St. Carlo on the 27th January 1839, the third anniversary of her death. The eloquence of Borromeo and of Dr. (afterwards Cardinal) Wiseman, Principal of the English College at Rome, was (it has been said) "procured to lavish the flowers of Oriental panegyric on the life of the octogenarian Semiramis of Upper India." A splendid monument in Carrara marble, ordered to be executed at Rome at this time, was erected to her memory at Sardhana in 1842.

#### FATHER AND SON.

On the death of the Begum, Dyce-Sombre left Sardhana (to which he never returned) and came to Calcutta where he remained for a year. Here he made the acquaintance of the leading citizens including Lord (then Mr. T. B.) Macaulay. He became a member of the Masonic Lodge "Humility with Fortitude." To this period also belongs the quarrel between Sombre and his father, Colonel G. A. Dyce. The father claimed to be next-of-kin and heir to the Begum, but finding himself unnoticed in her will, filed an action against his son in the Supreme

Court, Calcutta, for arrears of salary, etc. In this connection a writ was executed upon Sombre for fourteen lakhs of rupees; but notwithstanding the large amount and the inconvenient hour—late, on a Saturday evening—at which the arrest took place, he was able to put in bail, having then at the Treasury Company's papers to the value of nearly forty lakhs. Eventually he compromised the suit by agreeing to allow his father fifteen hundred rupees per mensem; but on the very day appointed for signing the agreement the old man died of cholera.

#### THE INNOCENT ABROAD.

Dyce had paid a visit to China, coming back to Calcutta in February 1838. He then embarked for England and landed at Bristol in August of that year. Colonel James Skinner, his distinguished countryman, had addressed to him an Ode in Persian, dissuading him from visiting England. There his arrival could scarcely fail to attract notice, as he brought with him a reputation of vast wealth and of being thoroughly Oriental in his education, manners and customs. The "dull but good-humoured" young man soon became the most celebrated personage of the season. In this achievement he was greatly helped by Lord Combermere, who had at once constituted himself his guide, philosopher and friend. The two first wants of the inexperienced East Indian were a tailor and a solicitor. The first was found, at Lord Combermere's recommendation, in the person of the then famous Stultz, while, under the same advice, his business matters were placed in the hands of Mr. Frere, the solicitor. Dyce-Sombre's desire for admittance into London society was satisfied through Lord Combermere's

intervention by his introduction to Lady Cork and other well-known hostesses. Having passed some time in England Dyce-Sombre went to the Continent and remained there till 1840, when he returned.

HE "WOULD A-WOING GO!"

He had met at Lady Cork's the Hon'ble Mary Anne Jervis, third daughter of Edward Jervis, second Viscount St. Vincent. She was an accomplished lady who, for one thing, sang remarkably well, and is said by Lady Cardigan (in her *Recollections*) and others to have numbered among her admirers the great Duke of Wellington. Dyce-Sombre and she were married on 26th September 1840. Lord Combermere, it would appear, did not approve of Dyce-Sombre's marriage with Miss Jervis or any other young lady in England until he had been some time there and got rid of all his Asiatic notions respecting women and the treatment of wives. Mrs. Sombre used to declare that Lord Combermere wished Dyce-Sombre to marry one of his own daughters, that after her marriage her husband's intimacy with the Combermeres continued to be a source of great unhappiness to her, and that even the Marchioness of Hastings had implored Dyce-Sombre not to be so friendly with them. Lord Combermere, however, in the course of an affidavit replied that his elder daughter was already the wife of Lord Hillsborough (afterwards Marquis of Downshire) and that the younger (Meliora by name) was but a child. To return to Dyce-Sombre. The engagement was more than once broken off; the second time this happened Dyce-Sombre went away to Paris, but the match appears to have been renewed by the lady herself or some friend acting on her behalf. What though his complexion was dark and

his figure corpulent, his wealth made up for all this ; for

“ Before such merit all objections fly.”

Anyhow, the union proved an unhappy one, and, as will be seen later on, led to an appalling law-suit known as the “ Dyce-Sombre Case,” the record of which fills two (Dr. Führer says ten, which is probably a misprint) huge volumes. They were privately printed and are very rare books indeed. These—especially those portions treating of life at both Sardhana and Calcutta—will prove not uninteresting reading. Dyce-Sombre’s private journals are remarkable for their unblushing frankness, to put it as mildly as possible.

#### THE PLOT THICKENS.

In the middle of the year 1841 Dyce-Sombre was elected, in the Liberal interest, member for Sudbury, but, after sitting for about ten months, was unseated for “gross, systematic and extensive bribery” and the borough was soon after disfranchised, mainly in consequence of the proceedings at the 1841 election. He lived with his wife until March 1843, when a separation took place in consequence of his being put under restraint as a lunatic at the Clarendon Hotel, 169, New Bond Street, London. He was thence removed under the care of a keeper to Hanover Lodge, Regent’s Park. A commission to enquire into his lunacy was held there on 31st July 1843, before a Judge and a Special Jury, when a verdict of “unsound mind from 27th October, 1842” was returned. Here, at Hanover Lodge, as he subsequently pointed out in a memorial addressed to Her Majesty Queen Victoria, he underwent a very painful and solitary confinement for nearly six months, and, after effecting his escape abroad, was kept eight months without receiving a single sou out

of his income for his own support, although his wife continued to draw therefrom an annuity of £4,000.

#### SOME MAD TRICKS.

Sir James Clark, the Court Surgeon, testified that once at dinner, Sombre poured some brandy over an apple and ate it with bread, declaring it would prevent Her Majesty's ball taking place next evening. He afterwards expressed his astonishment that it had not had that effect ! Among other alleged eccentricities, he held the belief that he used to be visited by spirits. One of them, a malignant spirit, told him to shave off his eyebrows. Mrs. Sombre, who related the story, ventured to suggest that perhaps the spirit might be satisfied if he were to shave off just a portion. This he promptly proceeded to do, but afterwards shaved off the rest ! One of his sanest forms of amusement appears to have been cutting out pictures from the illustrated papers and pasting them into scrap-albums. Of the alleged symptoms of lunacy another was that he sent out challenges to various persons by whom he supposed he had been injured. Thus, labouring under the delusion that his wife had been guilty of indiscretions with General Ventura (late in Ranjit Singh's service), Dyce-Sombre sent the General a challenge through his solicitor, calling upon him to give him satisfaction. On various accounts he sent one to his father-in-law, Lord St. Vincent, another to Sir James Lushington, Chairman of the East India Company, and a third to Sir Richard Jenkins, one of the Directors. To Sir Hugh Campbell he also sent a challenge because he had insulted him, as he supposed, by looking at his hat. He despatched another to the Hon. G. C. Weld Forester, M. P. (afterwards Lord Forester), charging him with having destroyed his peace of mind

before he and his wife parted. This last is significant, considering Forester became the second husband of Mrs. Sombre !

#### THE FLIGHT INTO FRANCE.

In September, 1843, Dyce-Sombre was allowed, for the benefit of his health, to travel under the care of Dr. John Grant, late Apothecary-General in the East India Company's service, but managing to escape from his attendant at Liverpool, he left England and arrived at Paris on 22nd September. Frere, the solicitor, followed him to Paris, but an application that Dyce-Sombre should be delivered up to be sent back to England was refused by the French Government. Dyce-Sombre printed about this time a clever and amusing set of verses referring to his escape from England and life in France. They were addressed from Boulogne to Lord Lyndhurst, the Lord Chancellor, and began :

"I hate your dreary English land,  
Its clime and hearts so cold !"

While in Paris he mixed in the best society. He was at Lady Clavering's weekly reunions and attended *soirées* at the Countess Krosnowski's and the Princess Czartoryski's. He spent many an evening at the Palace of King Louis Philippe, receiving marked attention from that monarch personally, and is said to have conducted himself towards His Majesty with all the propriety, manner and respectful dignity of a perfect gentleman. During the seven years succeeding his arrival at Paris, the unfortunate man was several times in England with safe-conduct passes from the Lord Chancellor. Many inquiries were made as to the state of his mind, with

varying results, and he lived on the surplus income of his property allowed him by the Lord Chancellor after deducting an annuity of £4,000 for the support of his wife. In 1849, he published in Paris his *Refutation of the charge of Lunacy* brought against him in the Court of Chancery. In the compilation of this well-written work, consisting of nearly six hundred pages, he is said to have been assisted by a Signor Montucci. The persevering efforts of his friends had procured a reconsideration of his case, and, while residing in France, the unfortunate man was sent for from London in the summer of 1851 for a fresh examination, which, it was confidently hoped, would establish his fitness to manage his property. So overjoyed was he at the receipt of this news, that, although suffering from an inflamed foot, he would not delay his departure an instant. Travelling night and day, with his suffering foot encased in a light boot, he paid the penalty of this rashness soon after his arrival in London. The foot becoming much worse, dangerous symptoms set in, and, after a few days' illness he died at his apartments, Davies Square, London, on the 1st July, 1851. He was buried in the catacombs at Kensal Green Cemetery on the 8th July. On his death-bed he wished to see Lord Combermere, from whom he had been latterly estranged, but the summons arrived too late. In his will, dated 25th June, 1849, the only mention made of Lord Combermere's family was a bequest of £1,000 to the younger daughter with the mellifluous name of Meliora.

"NO PLACE FOR REPENTANCE."

It seems only fair to add that on his arrival in England, Mrs. Sombre made an attempt to see her dearest "Friendly," that having been her pet-name for

him. Letters have been described as "the very pulse of biography." The two following will speak for themselves:—

THE CLARENDON,

*14th June 1851,*

SATURDAY.

"MY DEAREST FRIENDY,

I hear you are ill, and write to say how much I am concerned, and that if I can be of any use or comfort to you, I am ready at any moment to go to you. Lake and myself are waiting close by, so that if you will see us, or either of us, now, please send a verbal answer by the servant who takes this, and is waiting.

Believe me

Your Affectionate

M. A. DYCE-SOMBRE."

MIVART'S HOTEL, *Sunday, June 15th.*

"MADAM,

I received your note of yesterday's date, in due course of time. Had you gone on and acted on those expressions of kindness which you now do, and the anxiety you seem to feel for my health at this moment, there would not have been any need for a separation. But it is too late now, and if you really consult my comfort and your own reputation, do what I have always advised you to look to, and that is to take a divorce.

My toe is much better, and I hope there will be no necessity of its being taken off.

I remain,

Madam,

Your Obedient Servant,

D. O. DYCE-SOMBRE,"



With the object of saving boys of mixed parentage from the danger of suffering, like himself, for want of proper training in youth, he had directed that all his property should be applied to the founding of a school for them at Sardhana, the palace (or *Kothi Dilkusha*, as it was called) forming the nucleus of the necessary building. Further, to ensure the proving of the will, he made the Chairman and the Deputy Chairman of the Court of Directors his executors, with legacies of £10,000 to each, but all to no purpose. The will was disputed by his widow and his two sisters, Anne May, wife of Captain John Rose Troup (who had thrown up his commission in the Company's army to marry her), and Georgiana, wife of Baron Peter P. M. Solaroli, and was before the law courts for more than five years. The executors fought the case gallantly up to the Queen in Council, but the will was negatived in every court, as that of a lunatic. At last on the 26th January, 1856, after the case had been argued nineteen days, Sir John Dodson gave judgment against the will. This judgment was confirmed, on appeal, by the Judicial Committee of the Privy Council on 1st July of that year and the whole property devolved upon the widow, as sole heir-at-law.

His widow married on 8th November, 1852. the Right Hon. George Cecil Weld, third Baron Forester, to whom reference has already been made. In 1886 Lady Forester lost her second husband and she herself died on the 7th March 1903. Inside the Mortuary Chapel in the Roman Catholic Cathedral at Sardhana appears the following inscription :—

"Sacred to the memory of David Ochterlony Dyce Sombre of Sirdhana, who departed this life in London 1st July 1851. His remains were conveyed to

his native country (in conformity with his wishes) in the year 1867, and are deposited in the vault beneath, near those of his beloved and revered benefactress, Her Highness the Begum Sombre. He was born at Sirdhana, 18th December, 1808, and married, 26th September, 1840, the Honourable Mary Anne Jervis, daughter of Edward Jervis-Jervis, Viscount St. Vincent of Meaford in the county of Stafford "

#### WAS HE INSANE?

In connection with Dyce-Sombre's alleged insanity, it may be mentioned here that he seems latterly to have been possessed of an absurd idea that his younger sister, Georgiana Solaroli, was of illegitimate birth, having been his father's daughter by a Cashmerian girl. The lady was, like her father, of comparatively light complexion, whereas both her elder brother and sister were not so. Moreover, she was baptised not like the other two, in infancy but shortly before her marriage, when she was over sixteen years of age. Yet any such delusion on Sombre's part did not, according to Sir Charles Trevelyan and other friends, establish his lunacy. In his case "delusion" would perhaps have been a more proper term to use than unsoundness of mind, and the opinion of Lord Combermere may perhaps be quoted here, impartially summing up the question, as it does :—"A man may, even in England, as I apprehend, be under the delusion of an unfounded suspicion of his wife's fidelity, and yet not be at all mad. It is still more applicable to Indians, and the deceased was three-fourths an Indian. Jealousy springs up there to such an extent, and has such a hold upon the natives, that if that delusion constitute insanity there is no such thing (or scarcely such) as sanity. That was the case with the deceased; and

though desiring to acquit Mrs. Dyce-Sombre of all charge or suspicion of infidelity, I cannot consider the deceased insane because he could not overcome the delusion, the erroneous impression respecting her, however it originated." Moreover, in the opinion not only of Lord Combermere, but of Lords Downshire, Shrewsbury and others who were acquainted with Mrs. Dyce-Sombre (as expressed in a joint affidavit) her manners were such as to kindle unpleasant feelings in a breast less susceptible than her husband's. In a similar connection Lady Combermere remarked that both Lords Foley and Sandys had confided to Her Ladyship that, rather than marry Mrs. Dyce-Sombre, they would have married the D—— himself! Lord Sandys, however, disavowed having uttered anything so ungallant as this

To return to poor Dyce-Sombre: he complained, for one thing, that private letters addressed to him used to be opened by others. Besides, when he wished to pay a visit to his friend Lord Metcalfe who lay dying, the Lord Chancellor would permit him neither to do so nor to attend the funeral. Imputed lunacy and matrimonial dissensions, coupled with all the troubles that lawyers and physicians could inflict, crowded into the later years of his life. The lady, it was said, played a "Comedy of Errors," with her husband's money in her pocket, while he—his wealth unenjoyed, his marriage unhappy, his best friends estranged, and his life wasted—mourned in a madhouse.

E. W. MADGE and K. N. DHAR, M.A.

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### Art. III.—SIR ELIJAH IMPEY.

THE Regulating Act of 1773, commonly known as Lord North's Act, marks an epoch in the annals of British administration of India. Under it were established both the Supreme Council and the Supreme Court, the one being at the head of the Executive Department and the other at the head of the Judicial. The Supreme Court was a Crown Court built on the model of the Courts in Westminster to administer English law with a Chief Justice at £8,000 and three Puisne Judges at £6,000 a year. All these Judges were barristers-at-law and were sent direct from England. They landed at Chandpal Ghat in Calcutta on the 19th October 1774, but it was not till January next that the Court commenced its regular sittings. The first Chief Justice was Sir Elijah Impey, a well-known lawyer of considerable standing. He had already made a name at the English bar, but expecting a more glorious prospect in the Far East, came out to this country as the highest judiciary in the land.

Sir Elijah had hoped to pass his days in peace and happiness as becomes an upright dispenser of justice, but he soon found that his office, high and dignified as it was, was not a bed of roses. Serious dissensions broke out between the Council and the Court, and matters at last took such a bad turn that the Chief Justice was recalled. In England he had to defend himself against very serious charges brought against him ; but though he made a brave defence, the tongue of calumny was not silenced for good. The denunciations which Sir Gilbert Elliot, taking his cue from Mr. Philip Francis, had made against him found their way into the *Annual Register*, and after they had lain there for some

thirty years, were exhumed by Mill and adopted with little stint in his *History of British India*. Other writers so far from trying to contradict or correct Mill, followed, without investigation, in his footsteps. In this way the alleged criminality of Sir Elijah Impey came to pass for a belief, which few people knew how they came by, though all clung to it as tenaciously as they would to Gospel truth ; and when, at last, in 1841, Mr. Macaulay in his brilliant essay on Warren Hastings emphatically declared that no other Judge had dishonoured the English ermine since Jeffres drank himself to death in the Tower, he only gave utterance to an opinion which had for sixty years got rooted in the public mind—an opinion which regarded him as “one of the ogres of Indian history, a traditional monster of cruelty and iniquity”—one who stained the judicial robe by acts of almost unparalleled turpitude. Wonderful as Macaulay’s performance was, it was hailed by the general public with rapturous applause, but it gave excruciating pain at least to one English family. Smarting under the furious attack which was made on the sacred memory of their revered parent, one of Impey’s sons took up the cudgel against the great essayist ; but as he was ill able to contend with such a dexterous champion, he only spoiled a good cause by making such a weak impotent attempt. But a lie, it is justly said, cannot live forever. The sentence may be long before it is put in execution ; but sooner or later the lie will be laid bare in all its hideousness. In the case under consideration the interval between deception and detection was unusually long, but at last Macaulay’s glowing picture which had produced such a dramatic effect was made to stand before the world as a cheat—a delusion—a painted sepulchre, the god-like

voice of the people having declared the truth in its original simplicity. As Sir John Kaye observes, "there are literary courts more cogent than any court of law, and in these, sooner or later, the calumniator of the dead will meet with fitting punishment. History must not have the sword of law hanging over it by a single thread. Falsehood, whether born of malice or carelessness, will perish without the aid of law. The public is the best—the safest arbiter in such cases." In the present case the public was at last convinced of the falsity of the charges, and acting on the belief, has given it as its most deliberate opinion that Sir Elijah was not such a black character as he has been depicted by prejudiced writers.

The life of such an important personality cannot fail to interest the general reader, and it shall be our endeavour to place it before the world in its true genuine colours. Impey was born at Hammersmith in the county of Middlesex on 13th June 1732 and was baptized at the local church eleven days after, as appears by the Parish Register. His father, whose name he bore with exactitude, was like many of his predecessors a merchant engaged in various traffic, chiefly connected with the East India and South Sea trade. His mother, Martha Frazer, was related to the noble Scottish family of Lovat, being the daughter of Dr. James Frazer, author of a life of Nadir Shah. Old Impey died in 1750, leaving behind him a good name and considerable property. Of his three sons who all survived him the subject of this memoir was the youngest, but though the last-born, rose the highest and added much to the rank and reputation of the family, Michael, the eldest, succeeded to his father's business and the greater part of his estate at Hammersmith, where he resided till his

death in 1794. The second, James, highly distinguished himself at college and was well known for his great classical attainments. He, however, did not enter the education department but adopted medicine for his profession. As one would have expected from his more than ordinary natural parts, he soon obtained the degree of M.D., and successfully practised as a physician. However, the tenure of his life was anything but long and he died at Naples in 1756. As he had no issue, he left all his property to his youngest brother. To this brother, who was about eleven years his senior, our hero was chiefly indebted for the superintendence of that education, which, aided by his own industry and abilities, procured for him, without other high connection or patronage, the very distinguished post he held in his profession. From his brother, too, did he imbibe that love for classical literature, which, like his mother wit and pleasantry, never forsook him either in prosperity or in tribulation, in the bustle and incessant toil of official life or in the retirement of old age. But if he owed much to this noble pattern of a brother, he owed more to his mother, whose early tuition and tender care served to instill into his mind principles of religion and morality without which man is little better than a beast. Indeed, he was so very reverentially attached and devoted to his mother that he never wrote or spoke of her but as his "*pious mother*." In this respect he greatly resembled his illustrious contemporary, Dr. Samuel Johnson, who generally addressed Mrs. Johnson as his *dear honoured mother*.\*

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\* Mrs. Johnson probably died on the 20th or 21st January, 1759. In a letter to her, dated the 16th January, Johnson wrote: "I do not think you unfit to face death, but I know not how to bear the thought of losing you." A little before her death he addressed her another letter in which he thus wrote:—"You have been the best mother and I believe the best woman in the world. I thank you for your indulgence to me and beg forgiveness of all that I have done ill and all that I have omitted to do well." See Boswell's *Life of Johnson*, Chap. X., 1758-1759.

When barely seven years of age, Elijah was placed in the lowest form of Westminster School, then under the able direction of Dr. Nicoll, so well known to fame as a veteran éducationist.\* Up to the end of his academical course, he was the favourite of his teachers, and the friend of many of his school-fellows who afterwards rose high in the world. The most noted of those school-fellows as well as one of the most remarkable of men, whether of his own day or of any other, was Warren Hastings, the "Great Indian Proconsul," who was his junior by about a year. Impey and Hastings were bosom friends, and this friendship contracted *faustis sub penetralibus* at the sacred sanctuary of learning, lasted the longest and was only dissolved by death.† Even in India where the relations between the Supreme Court and the Supreme Council were the very reverse of cordial, the two old friends did not altogether forget each other. Sir John W. Kaye, in his famous article‡ on Sir Elijah Impey, says that in November 1779, when Impey had fallen seriously ill, Hastings invited him to stay at his country house at Belvedere. Although this invitation was not availed of at the time, still it shows that even serious political and professional differences had not got the better of the good offices of sweet and sacred friendship.

But Impey and Hastings, though friends, were rivals and tried their level best to surpass each other. And it seems that in this matter the future Judge

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\* The celebrated Latinist, Vincent Bourne, who "wrote the tidiest verses and wore the most untidy clothes," was one of the under-masters.

† Nay, even death itself did not actually dissolve it for, as MacFarlane says, "The friendship with Hastings, with the most familiar correspondence continued undisturbed till Impey's own decease, and was then continued by Hastings to his widow and children." See *Our Indian Empire*, Vol. I, p. 327, (1844).

‡ See *Calcutta Review*, Vol. VII, January-June, 1847.



generally peered above the future Ruler. It was only once that Impey was distanced by Hastings, for in 1747, when they stood out for College and were admitted as King's Scholars, the name of the former stood fourth on the list which was headed by the latter. Impey, however, had the highest regard for Hastings and we have the authority of his son and biographer in saying that he had predicted the future greatness of his friend; as later on he predicted that of Metcalfe, saying with the tongue of a prophet, on seeing the latter who was then making arrangements for his passage to India, "that active and intelligent boy is sure to become a great man in India." Hastings had a great mind to complete his classical studies, but the untimely death of his uncle, who had been defraying all the expenses of his education, compelled him to terminate them at Westminster; and finding that his prospect at Home was all but gloomy, sailed for Calcutta in the initial month of the year 1750.

Impey stayed on and did not leave Westminster till December 1751, when he was admitted Pensioner of Trinity College, Cambridge. While at school, he was known as a joyous, light-hearted and spirited "Westminster boy." In the very same month in which he entered Trinity College, Impey enrolled himself as a Law Student at Lincoln's Inn. In 1752 he gained a Scholarship which was ere long followed by a Fellowship. In 1754 he obtained the College prize for Latin declamation. But the year 1756 was the most important in his academical career. In that year he came out as a Wrangler and bore away the Chancellor's medal; and was also called to the Bar on the 23rd November. On 3rd October of the year following he became Junior Fellow of

Trinity College, and, on the 4th July 1759, Senior Fellow.

After Impey had completed his academical course with, if not very brilliant, at least very creditable success, he joined the Western Circuit and commenced practising as a barrister.

As he possessed good parts and had studied law with the utmost care and diligence, it was not long before he made his mark at the bar. He soon got into respectable practice and came in friendly contact with some of the rising members of the profession who afterwards rose to very high eminence. As at school Impey had made friends with Churchill, Colman the Elder, Cowper, Cumberland, Robert Sutton and, last though not least, Warren Hastings, so at the bar he numbered among his friends, Thurlow, Kenyon, Heath, Mansfield, Wallace, and more especially Dunning, all very picked men who so highly distinguished themselves in mature life. Impey's professional career was quite successful. This success, however, was achieved gradually. Business did not flow in very rapidly; it seldom does under like circumstances. "He who would pluck the golden apples of the law must be content to wait for years beneath the cold shadow of the trees." But when, at length, success was achieved, Impey found himself almost at the top; and, accordingly, his son and biographer says, that Dunning (afterwards Lord Ashburton) was the only advocate that was considered superior to him. Impey, too, had the highest regard for Dunning as a very sound and learned lawyer and a consummate master of forensic eloquence, and when in his old age he was arraigned before the bar of the House of Commons on some serious charges in regard to his Indian office, he was heard to say that if

Dunning \* had not died so early, he would not have been left, as he in a manner was, "naked to his enemies." In 1766-67 Impey made an extensive tour on the Continent, without which no gentleman could be said to have completed his education. His travelling companions were Mr. Popham and his most intimate friend Mr. John Dunning. They visited Naples and Rome. At the former place Impey shed some tears over the grave of his brother James and in the latter he sat for his bust to Nollekens, then just at the outset of his eccentric career. Before the close of 1767 he found himself again in England.

At "famous London town" Impey passed his days very happily. His friends were all jolly good fellows. Dunning, it is well known, was a rich humourist, and Sutton and Thurlow were witty themselves or content to be "the causes of wit in others." These young men were often found gathered round the card-table, when they cracked jokes at the expense of each other. These merry meetings were often a source of amusement to the lookers-on. An old lady very properly observed—"The table of those facetious lawyers was a centre of attraction to all who relished an intellectual treat." Indeed, there was no want of feast of reason and flow of soul.

As yet Impey had not become a proper man of the world, in that he had not taken a partner to his life. But the time was come for him to commence the rôle of a householder, and, accordingly, on the 18th January 1768, when he was running his 37th year, he married Mary, a daughter of Sir John Reade, Baronet, of Shipton Court in the County of Oxford. This union

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\* As a matter of fact, Dunning died in August 1783. He was the Doyen of his fellow-workers at the bar and had vast influence in Court.

proved a very felicitous one and the husband and the wife passed their days in peace and happiness. "I have often heard my dear mother say," writes Mr. Impey in the Memoir of his father, "that this was by far the happiest period of their lives. An increasing family was a stimulus to exertion, and his warm affection rendered toil easy. In all the cares, crosses, and vexations attendant on an always harassing profession, he was never known to lose his sweetness and cheerfulness of temper." By this time Impey had risen to a high position in the profession and though he had to contend with many a formidable rival he was considered, as a pleader, second to none but that unrivalled champion on the forensic arena, John Dunning. In this way Impey secured a first-class practice and, as a matter of necessary consequence, his income reached a very high figure. But considerable as his earnings were, he was anything but extravagant in his expenditure. In fact, he was parsimonious in the best sense of the term. One instance will suffice. He used to go to Court on a nag, which certainly cost him very little. This favourite animal was a most docile creature; it would come at his call and follow him about like a dog. Impey was very kind to his nice little hack, which speaks much in favour of the goodness of his heart inasmuch as the proverb makes him "the merciful man who is merciful to his beast."

We do not know in what particular case Impey first distinguished himself; but it is on record that in the course of his career he had earned his laurels in a good many. In a very difficult case, namely, *Head vs. Mullins and others*, tried before Chief Justice Willes at Exeter Assizes in 1769, he was counsel for the

plaintiff and had for his adversary no less an advocate than "the great John Dunning," as that prince of advocates was commonly called. The cause of action was assault of a very aggravated nature. The forensic fight was hard and strenuous, but at last Impey succeeded in flooring his doughty opponent and winning the fight. The principal defendant, Mullins, was convicted and sentenced to both imprisonment and fine. Impey, as Dr. Busteed says, was counsel on the side of His Royal Highness the Duke of Cumberland and Lady Grosvenor in that memorable *crim. con.* affair which made quite a sensation in the British Isles. He was also counsel for the East India Company before the House of Commons when in 1772 the Court of Directors were heard at the bar in support of objections to a Bill affecting their interests in Bengal.\* Thus, he earned name and fame at home and had brilliant prospects† in his native land. But it seemed that the glowing East had a special charm for him so that when under Lord North's Act provisions were made for the establishment of a Supreme Court in Bengal, he secured the post of Chief Justice, through the powerful influence of his friend, Mr. (afterwards Lord) Thurlow, then Attorney-General. Impey by arguing some cases before the Committees of both Houses of Parliament had attracted the notice and regard of Lord North, the Premier and of Lord Shelbourne, afterwards first Marquis of Landsdowne, one of the two Secretaries of State. This appointment was made by Lord Shelbourne,

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\* See *Dictionary of National Biography*.

† Years after his return from the East, as Sir Elijah was passing one day through the Court of King's Bench, Chief Justice, Lord Kenyon who was then presiding, nodded from his seat familiar recognition at his old fellow-student and with characteristic cordiality exclaimed, "Ah Impey! had you stayed at home, you might now have been seated here."

who had the department of the Colonies and Dependencies in his charge, and to whom Impey was accustomed to look up to as to a friend. At that time Apsley, entitled Lord Bathurst, was Lord Chancellor, and it is needless to say that under such circumstances his Lordship gladly gave his assent.

Impey was a barrister of seventeen years' standing, counting from the date of his call to the bar, when he was appointed Chief Justice of the greatest Dependency under the Crown of England. As a necessary preliminary to entering upon the duties of his high office, he received the honour of Knighthood from his Majesty King George III. Leaving his children under the care of his brother, Michael, Sir Elijah as he had now become, with his wife sailed for this distant land on board the *Anson* in the early part of April 1774, his three colleagues on the Bench also accompanying him. At that time when the Suez Canal had not been opened, the voyage to the Far East was anything but pleasant. It was painfully tedious and monotonous, as it took not less than six months to complete it. Thus, though the ship in which the Judges had taken passage cleared out early in April, it did not reach its destination till the latter part of October. The Judges were perfect strangers as to the state of things in Calcutta, and this crass ignorance was shown by the remark which Impey made to one of his brother Judges on observing the bare legs and feet of the natives who crowded to the shore, "Our Court, brother, certainly was not established before it was needed. I trust we shall not have been six months in the country before these victims of oppression are comfortably provided with shoes and stockings." This all but silly remark, was alone sufficient to show that

they were perfectly ignorant of the manners and customs of the people to whom they were sent to dispense justice.

Although the Judges landed in Calcutta in October, the Court did not commence its regular sittings till after the expiry of the year; and when it did so commence, it soon found itself embroiled in a serious conflict. The same Act of Parliament which established the Supreme Court, also established, as we have stated at the outset, the Supreme Council with the Governor-General as its President. But the powers and duties of the two bodies were so ill defined that it was not long before there was a serious split between them. A reign of terror began and the administration was greatly hampered, so much so that the domination of Britain in the East was shaken to its foundations.\* This very undesirable state of things continued till the year 1780, when Hastings hit upon an expedient which had the effect of pouring oil over troubled waters and "overblowing the ague fit of fever." In the meantime the country had passed through a terrible ordeal. The attempt at administering English law with all its technicalities and severities threw the people into a paroxysm of terror. There was panic all over Bengal and the natives feared that their life and property were at great stake. But by no case were they so much agitated as by the trial of Maharaja Nanda Kumar and its disastrous end. Indeed, that was the very first

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\* As Francis, Clavering and Monson constituted the majority of the Council, they assumed all the powers of Government, reducing, for a time, Hastings with his adherent, Barwell, to the condition of cypher. "We three," said Francis, "are King!" For which expression, so constantly repeated by him, other men in Calcutta gave him, in derision, the nickname of "King Francis," or "Francis the First." Indeed, during two years the tripartite majority, whereof

"What seem'd its head

The likeness of a kingly crown had on,"

had appointed to all places of emolument or power. (See *Impey's Memoirs*, Chapter V.)

important criminal trial the Judges of the Supreme Court had to occupy themselves in. The accused was the most remarkable man of his time. He had wealth, influence, caste, and what was very noticeable, the support of the Supreme Council. Strong in all these outward adjuncts, he was stronger still in himself. His unscrupulous audacity was almost sublime. He spited the Governor-General himself and did not hesitate to bring charges against him. This was going rather too far, and no wonder that he had to pay dear for his desperate conduct. He soon came to know that there was a power in Bengal even stronger than the Supreme Council ; and that power was now put forth for his destruction. The great Nanda Kumar, whose smile was fortune and whose frown was death, was arrested on a charge of forgery on 6th May 1775. This offence, though it had nothing very uncommon in the eye of a native, was looked upon in England with the utmost disapprobation and abhorrence. Indeed, the law in cases of forgery was administered with unerring and unmitigated severity, as that crime in particular was considered of all "the most dangerous in a commercial country," and was to be checked only by the gallows.

Attempts were made to get Nanda Kumar out on bail ; but as the offence was not aailable one, the Judges could not be induced to swerve from the course laid down by law. The accused was thrown into prison, and there he remained to await his trial. But though bail was refused, the prisoner was, while in jail, treated with all possible consideration and respect. Sir Elijah did even more than this. When it was reported that Nanda Kumar's health was failing, he lost no time in sending a physician to him ; and subsequently,



against the remonstrance of Justice Lemaistre, permitted the prisoner to "eat the air," to use a common phrase, outside the prison walls.

In due course the day of trial arrived. On the 8th June Nanda Kumar was called to the bar to take his trial, before the Chief Justice, the three Puisne Judges and a jury of twelve British subjects. Mr. Justice Chambers was of opinion that, looking to the fact of the East India Company having been formed during the reign of Queen Elizabeth, the indictment should be laid under an Act of that Sovereign, in whose time forgery was not a capital offence; but this suggestion was overruled by the other Judges, who could see nothing to absolve them from the necessity of administering the English law as at that time administered in England. The Regulating Act, indeed, plainly interpreted, had left them no alternative. Much has been said and written to show that Nanda Kumar was not within the jurisdiction of the Court and that the English law was not applicable to India; but with the Regulating Act and Letters Patent before him, any man of ordinary comprehension would be at a loss so to interpret the clauses of either as to arrive at a conviction that a British subject like Nanda Kumar—one actually in the employment of Government—was not amenable to the English law.\*

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\*Although in strict justice the Judges were bound to apply the English law, still they should have hesitated long before applying it in all its rigour. In this connection we deem it proper to quote the very sensible remarks which Sir John Kaye has made in his famous essay on Sir Elijah Impey in the *Calcutta Review*. He says:—"Relying, without any misgivings, on the salutary effects of that 'perfection of human reason' the English law, and knowing little or nothing of the peculiar prejudices of the people of India—their religion, their institutions, their laws of caste, their customs and ceremonies—they seem to have overlooked the fact that an instrument of protection may, unfitly applied, become an instrument of oppression. That the establishment of the Supreme Court did not bring with it the blessings with which it was intended to be laden, we may readily admit, without casting any heavy slurs upon the character of the Chief Justice and his judicial brethren. The problem to be solved was the most difficult of all difficult problems. There is no

The trial lasted for eight days, during which Calcutta witnessed a spectacle which it had never witnessed before. The prisoner was defended by Mr. Thomas Farrer who was the best counsel of his time and who had for his junior Mr. Brix. Farrer fought hard for his client, but all his advocacy went for nothing. The Judges were of opinion that there was sufficient evidence to find the accused guilty, and, accordingly, the Chief Justice charged the jury to that effect. The charge which was delivered on the occasion was well worthy of Sir Elijah's reputation as an able and learned Judge. The jury, as was expected, brought in an unanimous verdict of "guilty," and the Court sentenced the noble offender to the extreme penalty of law, death, as the English law then stood, being the punishment prescribed for the offence \* Nanda Kumar was hanged on the 5th August 1775, at a spot "near the Cooly Bazar," close to Hastings Bridge. †

Opinions differ as to the justice of the decision of the Court and the sentence passed. While Macaulay in his brilliant essay on Hastings says that Nanda Kumar was most foully murdered by Sir Elijah Impey, Sir

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doubt that the state of things before the passing of the Regulating Act was sufficiently bad; that the law required radical reform; that justice had, in many instances, been set at naught most flagrantly; and that the people of India had really no remedy against the oppressions to which they were subject. But it might have puzzled even a greater lawyer than Elijah Impey—a greater statesman than Warren Hastings—greater lawyers and statesmen than those in England, who had been concerned in the framing of the Regulating Act—to determine how to render the English law a blessing to the natives of India."

\* This verdict was passed on the 16th June. *Echoes*, p. 78. But the sentence was not pronounced till the 24th. *Nuncoomar and Impey*, Vol. II, p. 65.

† See *Echoes*, p. 87. Speaking of Nanda Kumar's execution, Sir Gilbert Elliot (afterwards Lord Minto) said, no doubt, in characteristically exaggerated language: "I do solemnly declare that of all the enormities I have ever heard of in the tyranny of man over man, of all desperate or wanton exploits either recorded in the history of human crimes or conceived in the most extravagant and the wildest flights of imagination and invented guilt, this one detestable act has always appeared to me to involve within its single self the greatest variety, the greatest complication, the most lofty accumulation of guilt, to stand the highest in the scale of offences, and to claim an undisputed pre-eminence in human crimes." (See *Nuncoomar and Impey*, Vol. II, pp. 56-57, where this passage is quoted).

James Fitzjames Stephen, a better professional lawyer than the great essayist, is of opinion that the trial was quite fair and that the sentence of the Court was quite in consonance with law\* as it then stood.\* And not only Sir James, but one greater than he, namely, Sir Henry Sumner Maine has also acquitted Sir Elijah of the charge which had been laid to his door by Macaulay. That great jurist in his *Village Communities* thus observes:—"It is true that, as regards the case which Lord Macaulay has sketched with such dramatic force, Nuncoomar appears to me upon the records of the proceedings to have had quite as fair a trial as any Englishman of that day indicted for forgery would have had in England, and to have been treated with even more consideration."† Nanda Kumar's, however, was not the first case in India in which the offence of forgery was punished with death; other natives, as Mr. Barwell said at the trial of Hastings, had been hanged for the same crime years before that. We don't know how far this statement is true. But it would appear from a Parliamentary paper, dated the 3rd March 1788, that from 27th August 1762 to 27th November 1768 forty-five cases were tried before the Court of Quarter Sessions at Calcutta and that out of these cases two were for forgery. In one of them the accused was one Francis Russell. On the 28th May 1764 he was

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\* Even a few months after the trial and execution of Nanda Kumar, the great lawyer, Dunning, in a letter, dated the 5th January 1776, thus wrote to Impey:—"The publication of the trial has been of use, as it has obviated abundance of ridiculous and groundless stories. I see nothing in the proceedings to disapprove of except that you seem to have wasted more time in the discussion of the privileges of Ambassadors than so ridiculous a claim deserved." It was maliciously circulated among other things, that Sir William Blackstone and Lord Mansfield had condemned the proceedings in the case as illegal, the latter having, it was said, called the execution "a legal murder." Impey in his defence proved beyond all doubt that these statements were utterly false.

† See Section II., p. 38

convicted and sentenced to be *whipped* round the town at the cart's tail. As regards the other case there occurs this entry on the 27th February 1765 :—"Radha Churun Metre—forgery—guilty—death—pardoned." This conviction took place under the statute on which Nanda Kumar was tried, and was naturally much relied upon by Sir Elijah. Radha Churn was convicted of forging a codicil to the will of one Coja Solomon. Upon this, the Governor and Council were petitioned by the "principal black inhabitants" in favour of the prisoner. They respited him,\* and, at last, a free pardon was granted, seeing that the law was not then known to the inhabitants. It would seem that both Nanda Kumar and his prosecutor, Mohun Persaud, were among the petitioners.† Thus it is clear that not only was Nanda Kumar not tried by an *ex post facto* law, as was contended by his counsel, but also that he was fully aware of its existence. He might have been hanged if the Supreme Court had never been established. He might have been hanged, if he had been tried before the Old Mayor's Court; and no man knew this better than Nanda Kumar himself.

Another typical case tried by Sir Elijah was what is generally known as the "Patna Cause," but unlike the case of Nanda Kumar it was of a civil nature. It was an action for damages brought in the Supreme

\* One principal accusation made against Impey was that even if his general conduct was both legal and fair, he ought at all events to have respited Nanda Kumar, and that no explanation of his omission to do so could be given except his wish to gratify Hastings. Macaulay also says that Impey ought to have respited Nanda Kumar, but he "would not hear of mercy or delay." On this Sir James F. Stephen observes that as no *request* was made on the subject, it was not correct to say that Impey had "refused" (not merely neglected) to respite Nanda Kumar. (*Nuncoomar and Impey*, Vol. II., p. 64 note). But whether any formal request was made or not, there is no doubt that some steps were taken in that direction and one could not but wish that the accused had been at least respited for some time.

† See Sir James F. Stephen's *Nuncoomar and Impey*, Vol. II., pp. 22-23 and note.

Court by Naderah Begum against Behader Beg, Kazi Sahdec, Mufti Barkatullah, and Mufti Golam Muckdum, for assault, battery and imprisonment. \* The facts out of which the action arose were as follows: "Shahbaz Beg Khan was a native of Cabul who came into India to seek his fortune as a soldier. He became very rich, settled down at Patna, married late in life Naderah Begum, the plaintiff, and had no other wife. He died towards the close of 1776, leaving behind him very large property in the possession of his widow. Some time before his death he had brought up from his native land a nephew, named Behadar Beg, the son of his brother; and it was stated, though not proved, that he had expressed a wish to make this man his heir. There was also living in his house another nephew, Cojah Zekariah, the son of one of his sisters. On the death of Shahbaz Beg Khan, his widow, Naderah Begum, remained in possession of his property; but Behader Beg, within three weeks of the death of the original owner, presented a petition to the Patna Council endorsed by their officer '22nd January, 1777.' This petition stated that the petitioner was the adopted son of the deceased, that the widow had embezzled some of the goods left by the latter, and prayed that guards might be set to protect the property; and that the Council would order the Kazi to ascertain the petitioner's right, "and give information to the Presence that your petitioner may obtain his right." Vague and indefinite as the claim made in the petition was, the Council thereupon issued an order to the Kazi and the Muftis to take inventory of the property, secure it until the time of decision and division, and transmit to the Council a written report 'according to ascertained facts and legal justice.' This proceeding, it is to be observed,

was entirely *ex parte*, as it was taken without giving notice to the widow or anyone on her behalf.

The Kazi and the Muftis went to the house, and after a great deal of difficulty and dispute as to the appointment of Cojah Zekariah as attorney for the widow (an appointment alleged by the defendants and denied by the plaintiff to have been duly made), got into the house and locked it up and sealed some of the doors. A few days after, they returned and made an inventory of the property. It was said that on this occasion they behaved very roughly, compelling the plaintiff by threats of force to leave one room after another, until at last she took refuge in a filthy out-house open to a common bazar. From thence she retired for better safety into the durgah of Shah Azum, where she was hospitably received by the resident fakirs. But there in that sacred retreat, too, she was not allowed to live unmolested. A guard was set upon her by the Council 'to intimidate her to give up the slave women, papers, and seal of the deceased.' She remained at this place under more or less restraint for about three months. In the meantime the Kazi and the Muftis held an inquiry and sent in a report, on or before the 20th January 1777, as on that day an order upon it was signed by Mr. Simeon Proz, one of the Patna Council. Although the petition of Behader Beg did not state what the nature of the dispute was, strange to say, the report supplied the omission. It stated that the defendant, Behader Beg, claimed the property as the adopted son of Shahbaz Beg, while the widow claimed it under a will and deed of gift made by the deceased; but the will and deed of gift were both forged. It then recommended that the property, 'exclusive of the Altamgha which

does not form part of the inheritance,' should be divided into four shares, of which three should go to Behader Beg, 'his father being the legal heir of the deceased and himself the adopted son,' and the fourth to the widow.\*

Upon the said report the Court at Patna ordered the Kazi and the Muftis to divide the inheritance in accordance therewith, but in favour of the widow they ordered that Behadar Beg should pay her a quarter of the income of the Altamgha lands, which had been reported by the Kazi and the Muftis as excluded from inheritance. Some sort of division was accordingly made, but Naderah Begum's agent refused to take the share allotted to her. The upshot of the whole matter was that the widow was expelled from her husband's house, treated with considerable indignity, and deprived of the bulk of the property left to her in its entirety. For all these wrongs Naderah Begum brought an action in the Supreme Court on 3rd February 1779, † laying her damages at six lakhs of *sicca* rupees. That Court held that it had jurisdiction over Behader Beg, it being proved that he was the farmer of the revenue of certain villages in Behar and was thus "directly or indirectly in the service of the East India Company." The defence set up by the Kazi and the Muftis in justification of their conduct was in brief this: That the Provincial Courts were Courts of Justice before the Regulating Act; and that also before the said Act they were attended by Kazis and Muftis, to whom suits between Mahomedans used to be referred; that upon such reference the Kazis and Muftis used to hear the parties, or their

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\* See *Nuncoomar and Impey*, Vol. II, pp. 166, 167.

† Kaye, however, says that this is either a mistake or a misprint. The action was commenced in 1777.

vakils, and the evidence on both sides, and to make a report to the Court, whereupon the Court made a decree, subject to an appeal to the President and Council. The case in question, the defence went on to say, was a case between Mahomedans. It had been referred to the defendants as Kazi and Muftis. All the acts complained of were acts done by them as Kazi and Muftis in the discharge of their duty.

All the Judges were unanimously of opinion that the defendants were not entitled to give in evidence the facts on which they relied, because, if true, they would form no justification of the conduct which they were alleged by the plaintiff to have pursued. However, as the defendants said they wished to carry the case to an appeal, the Court allowed them to adduce evidence of the matters stated in their defence. A trial, accordingly, took place on the whole case, and after it had lasted for ten days, Sir Elijah on the last day of the term in 1779, delivered judgment in which his colleagues, Chambers and Hyde, J.J., agreed. He cast the defendants in damages to the amount of three lakhs of rupees. As to plaintiff's imprisonment at the durgah, the Court thought it was the act, not of the defendants but of the Patna Council. The members of it were afterwards sued separately for this, and Rs. 15,000 were given as damages against them.

Such was the famous Patna case. It produced a perfect storm of indignation, not only in India but also in England, and this is not surprising. The decision that Behader Beg was, as an ijardar or farmer, subject to the jurisdiction of the Supreme Court, was declared to have produced a panic amongst the renters of the province of Behar. Impey's judgment in this case was made one of the grounds of impeachment against him,



but is forcibly defended by Sir James F. Stephen, against the criticism of Mill and others, as being not only technically correct, but also substantially just.\* The case was taken up in appeal to His Majesty in Council on 30th April 1788, but it was ultimately dismissed for want of prosecution on the 3rd April 1789.†

Another *casus celebre*, in which there was a fierce conflict between the Council and the Court, was what is known as the Cossijorah Case ‡ which followed on the heels of the Patna case and was even more important than that. It began in 1779, and, in the commencement of the next following year, brought the quarrel between the two Supreme heads to a crisis. The facts of this case were few and simple. One Cassinath Babu had lent a large sum of money to the zemindar of Cossijorah in the district of Midnapur and had tried for a considerable time to recover the amount through the Board of Revenue at Calcutta. As this process did not succeed to his wish, the Babu sued the zemindar in the Supreme Court, filing, on the 13th August 1779, an affidavit which stated that the zemindar was employed in the collection of the Government revenues. On the strength of this affidavit, the zemindar, or Raja as he was called by courtesy, was required to find bail to the extent of three lakhs and a half. A writ was accordingly issued, but the Raja, on being timely informed of this, concealed himself in order to avoid the process much to the damage of the revenue which he ought to

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\* See Ilbert's *Government of India*, pp. 57, 58.

† See Impey's *Memoirs*, p. 346.

‡ With the "Dacca Case," Sir Elijah could not be mixed up. He was absent from his duties, on account of ill-health, at the time it occurred, and the official documents connected with it, for the most part, bear the signature of Mr. Justice Hyde. Impey's son and biographer says that from the 6th July 1778 to the 15th March in the following year, his father was with his family at Chittagong, above three hundred and sixteen miles from Calcutta.

have been collecting. On this matter being duly brought to the notice of Government by Mr. Peiarce, the Collector of Midnapur, the Governor-General and Council after consulting the Advocate-General\* of the Company, Sir John Day, who gave an opinion that the view taken by the Court of the Regulating Act was wrong, issued an order to all landlords, thereby informing them that they were subject to the jurisdiction of the Court only if they were servants of the Company, or had subjected themselves by their own free will and consent to the jurisdiction, and that if they did not fall within either class, they were to pay no attention to the process of the Court. Besides this general proclamation, a special direction to the same purport and effect was given to the zemindar of Cossijorah, who being thus fortified in his position, took no notice of the further process of the Court, and when the Sheriff's officers attempted to take him under a *capias*, his people beat them off. This outrageous act on the part of the zemindar was too much for the Court to bear, and accordingly a writ was promptly issued to sequester his property in order to compel appearance, and the Sheriff writhing under the outrage done to his officers collected a force of fifty or sixty sailors and others, who marched in battle array armed, from Calcutta to Cossijorah, in order the better to effect their purpose. On arriving at their destination, they broke into the Raja's palace, maltreated his servants, violated the sanctity of the zenana, and desecrated his family temple, packing up the holy idol with other lumber in a basket, and affixing the seal of the Court to it. When information

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\* The appointment of a legal adviser to Government had become a matter of necessity in 1779, as Hastings who was a layman was not quite in a position to cope with the judges on points of law which the unsettled relations of the Executive and the Judiciary too often gave rise to.

of this scandalous outrage reached the seat of Government, Hastings naturally considered that the time had at length arrived when he could no longer delay to vindicate the authority of the ruling power and afford protection to the natives, whatever might be the hazard attending it. He, therefore, ordered Colonel Ahmuty, the Commandant of the forces then stationed at Midnapur, to intercept the whole party on their return and march them to Calcutta. This was, no doubt, an ugly affair, and, accordingly, Sir James F. Stephen with righteous indignation observes :—" It seems to me that the Council acted naughtily, quite illegally, almost violently, without any adequate reason for their conduct. In the result their conduct did not do any great harm so far as I know, but this was rather an instance of good fortune than a proof of good policy. A more discreditable spectacle, and one better calculated to break down all discipline and order than that of a governing Council marching troops against the officers of the Supreme Court can hardly be imagined." \* Attempts were made to arrest the officer who commanded the troops as for a contempt, but the execution of this process also was prevented by military force. Finally, actions were brought against Hastings and the other Members of Council individually by the plaintiff in the suit against the Raja of Cossijorah. At first they entered appearances, but when they came to know that they were sued for acts done in their public capacity, they all (except Barwell) caused their counsel to make a declaration in Court that they withdrew their appearances and that they would not submit to any process which the Court might issue against them.† Upon this

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\* See *Nuncoomar and Impey*, Vol. II., p. 270.

† See *Nuncoomar and Impey*, Vol. II, p. 211.

the Court proceeded to the wildest excesses. The Governor-General and all the Members of Council were served with writs, calling upon them to appear before the King's Justices and to answer for their public acts. But Hastings was more than a match for Impey. He with just scorn refused to obey the call, set at liberty the persons wrongfully detained by the Court, and took measures for resisting the outrageous proceedings of the Sheriff's officers, if necessary, by the sword.\* But prudent and politic as he was, he did not allow his anger to get the better of his reason, and, like the wise man that he was, deeming discretion to be the better part of valour, devised a plan which might prevent the necessity for an appeal to arms. His fertile brain was never at a loss for an expedient, and his thorough knowledge of Impey's character, whom he had known intimately from his very boyhood, did him yeomen's service in the matter. He laid a trap which the Chief Justice was only too willing to get into. Impey was, by Act of Parliament, a Judge independent of the Government of Bengal and entitled to a salary of eight thousand pounds a year. Hastings proposed to make him also a Judge of the Sadar Diwani Adalat, removeable at the pleasure of the said Government, and to give him, in that capacity, about eight thousand a year more. In an elaborate minute recorded by him on the 29th September 1780, Hastings very clearly showed the necessity for appointing a Judge to the Sadar Diwani Adalat, but he did not touch upon the more important question whether he would be justified in appointing Impey, who was already a King's Judge, to a similar

\* During the whole proceedings in connection with the Cossijorah case the official who suffered most was the Company's attorney, Mr. North Naylor. He was arrested and thrown into the common jail where he remained for upwards of a fortnight. The Select Committee in their Report of 1782 state, "Naylor's death had been, in all probability, hastened, if not caused, by his sufferings under confinement."

post under the Company to which a salary was attached.\* Indeed, quite a layman that he was, Hastings was not at all competent to deal with such a hard and difficult question of law. But Impey, who was a thorough lawyer, knew very well that in accepting the appointment † he was taking a step which was not quite justifiable either in law or in morality. Thus, Hastings was not so much to blame for making the offer as Impey was for accepting it. But questionable as the proceeding ‡ was, it produced its desired effect. The "temporary expedient," as Burke would have styled it, adopted by the Governor-General had an almost talismanic power, and the storm which had been furiously raging from the latter end of 1775, all of a sudden subsided into a gentle calm in the last quarter of 1780. During this troublous period the Europeans of Calcutta had not been mere spectators of the unseemly scene. They got up an agitation for the

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\* Three very eminent lawyers, on being requested by the Directors of the East India Company, gave the following opinion on the point :—"The appointment of the Chief Justice to the office of Judge of the Sudder Dewanny Adaulat, and giving him a salary, besides what he is entitled to as Chief Justice, does not appear to us to be illegal either as being contrary to the 13, George III, or incompatible with his duty as Chief Justice, nor do we see anything in the Act 21, George III, which affects this question."

LINCOLN'S INN, {  
19th December 1781. }

J. DUNNING.  
JUSTICE WALLACE.  
JUSTICE MANSFIELD.

Three days after it was retracted by Lord Mansfield.

Mr. Rous, the Company's Standing Counsel, also objected to the appointment *with the salary*, on the plea, however, not of law, but of mere expediency. (Impey's *Memoirs*, Chapter. X).

† This office Impey accepted on the 25th October 1780. On the 27th January following he wrote to Barwell : "The Sudder Dewanee Adaulat is placed under my management. It will be no agreeable thing to me, but as it was the Governor's act, I am contented." (*Memoirs*, Chapter VIII.) Indeed, Impey compromised himself by accepting that post which, tenable as it was at the pleasure of the Company, was justly held to be incompatible with the independence which he was intended to occupy as Chief Justice of the Supreme Court. (Ilbert's *Government of India*, p. 58.) Ultimately, the Sadar Judgeship proved very disagreeable to Impey.

‡ Both Francis and Wheler who had succeeded Colonel Monson, vigorously protested against the proposal. Sir Eyre Coote, occupying the place of the late General Clavering, was the only one who gave his assent to it.

introduction of jury trial in Civil suits, which culminated in a petition to Government, known as Touchet's Petition, from the name of the person who took the lead in it. This measure proved so far effectual that a Parliamentary Committee was appointed to inquire into and report upon the matter. Almost on the heels of this Committee a similar Committee was appointed to inquire into the Administration of Justice in Bengal. The Statute 13, Geo. III, C. 63, better known as the Regulating Act, had put affairs out of joint, and it was high time that they should be set right by amending it. In 1830 the Judges of the Supreme Court very properly remarked "that the Legislature had passed the Act of the 13. Geo. III, C. 63, without fully investigating what it was that they were legislating about; and that if the Act did not say more than was meant, it seemed at least to have said more than was well understood." \*

The year 1781 is a memorable year. In it was passed an Act (21, Geo. III, C. 70) to amend and explain the Regulating Act. By section 21 it was provided that the Court presided over by the Governor-General and Council should be a Court of record and by section 22 it was provided that it was to be a Court to hear and "determine on all offences, abuses and extortions," and all "severities beyond what should appear to the said Court customary or necessary" in the collection of the revenue. Such offences were to be punished at their discretion by any punishment short of death, maiming, and imprisonment for life. The Governor-General and Council were to have power to frame regulations for the

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\* See their letter, dated the 16th October 1830, in the fifth appendix to the third Report of the Select Committee of the House of Commons, 1831, P. 12841.

Provincial Courts—an enactment which was the legal foundation for the body of regulations of which the Permanent Settlement is the most famous portion. The Act further provided expressly that no one should be subject to the jurisdiction of the Supreme Court by reason only of his being a zemindar or ijaradar, and that no servant of the Company should as such be subject to the jurisdiction in cases of inheritance or succession.\* Thus, a compromise was effected, by which the power of the Crown Court was restricted; and the tribunals of the Company were recognised by Parliament. The Governor-General and Council, or some Committee thereof, were appointed the Sadar Court of Bengal and authorised to determine on appeals and references from the country courts in civil causes; and an appeal was given from its decisions in civil suits, the value of which should be £5,000 and upwards.

Impey had held his additional appointment for two years, when on its being disapproved by the Lord Chancellor he had to give it up, and as a punishment for accepting such a salaried office he was recalled.† His rule of the Sadar Court was no doubt troublous, but nobody could deny that he did yeoman's service by amending and codifying the laws of the land.

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\* See *Nuncoomar and Impey*, Vol. II, pp. 189 190, 192.

† Impey in his famous speech at the bar of the House of Commons on 4th February 1788 said:—"On the 27th of January 1783, I received a letter from the Earl of Sherbourne, dated the 8th of July 1782, which conveyed His Majesty's command to me to return to the Kingdom for the purpose of answering a charge specified in an address which had been laid before His Majesty in consequence of a note of the 3rd of May 1782." That note related only "to the acceptance of an office not agreeable to the true intent and meaning of the Act, 13 Geo. III." Mr. (afterwards Sir Philip) Francis had accused Impey "of compromising the dispute between the Court and the Council by accepting an office with a salary." (*Nuncoomar and Impey*, Vol. II, pp. 233, 234). Indeed, Francis was one of Impey's bitterest enemies. He was heard publicly to say in the House of Commons, "Sir Elijah is not fit to sit in judgment on any matter where I am interested, nor am I fit to sit in judgment on him" (See John Nicholl's *Recollections and Reflections*.) This open avowal of ill-feeling was quite Junius-like.

"In the course of the eight months between the end of October 1780 and July 1781," says Sir James F. Stephen, "Impey prepared a set of judicial regulations which formed a new code of procedure, founded on the earlier regulations and including many new ones which he proposed for adoption. He was thus the first of Indian codifiers, for which reason, amongst others, his successor (*i. e.*, Macaulay) might have had a little mercy upon him. Impey's code is Regulation VI of 1781. It consists of 95 sections which fill 38 folio pages and repeals all other regulations then in force relating to civil procedure. It is not a work of genius like Macaulay's Penal Code, and the length and elaboration of its sentences would jar upon modern Indian draftsmen, but it is written in vigorous, manly English, and is well arranged. It gives the effect of some regulations which were passed in 1780 and the earlier part of 1781, by which eighteen Courts were established, in each of which except four was a Judge independent of Revenue authorities. In four the Collector was to be Judge. The Regulation defines the local jurisdiction of the Courts and their jurisdiction over causes. It provides for the limitation of suits, giving in most cases a term of twelve years. It lays down a system of procedure which contains a greatly simplified version of the old English special pleading. It provides for the mode of trial and contains regulations as to arbitrations and appeals, besides many other matters. It remained in force for six years, when it was repealed, but re-enacted, with amendments and additions, by Regulation VIII of 1787."\*

The Impey Code, as it was called, was a very useful piece of legislation and served as the prototype of the

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\* See *Nuncoomar and Impey*, Vol. II, pp. 245, 246.



famous Cornwallis Code which came into force in the memorable Regulation year 1793.

The recall of Impey, however, was not intended to be peremptorily carried out, and, as a matter of fact, he held his seat in the Supreme Court till the 16th November 1782, when he formally made over charge to Council.\* But he did not leave India† till the 3rd December 1783. The *Worcester*, in which he with his family and suite sailed, sprang a leak in the way off St. Helena, and the party narrowly escaped being drowned; and it was not till June of the following year that they landed in England. But Impey was not permitted to pass his latter days in peace. In 1787, Sir Gilbert Elliot‡ (afterwards Lord Minto) moved in the House of Commons to impeach him; whereupon a Committee was appointed to receive evidence in the matter. Many respectable witnesses were examined, amongst whom was Mr. Thomas Farrer§ who had defended Nanda Kumar in 1775. Nothing daunted, Impey stood forward:—

“As one who, suffering all, yet suffers nothing;  
A man who Fortune's buffets and rewards  
Had ta'en with equal thanks”;

and with conspicuous boldness worthy of a better cause made his defence in the House of Commons, as we have

\* See *Nuncoomar and Impey*, Vol. II, p. 234.

† Dr. Daniel Campbell, Surgeon-General of the Presidency, went home with the Impeys, “much regretted,” says the *Indian Gazette*. (See Sydney Grier's *Letters of Warren Hastings to His Wife*, p. 65.) Impey on receiving Lord Sherbourne's letter had taken passage at once on board the *Worcester*, but was actually unable to sail until December, since the Bay of Bengal was dominated by a French fleet (*Ibid*, p. 171).

‡ Mr. Alexander Elliot, son, or rather brother (according to MacFarlane), of Sir Gilbert, was interpreter to Nunda Kumar's trial. Young Elliot died early in India, 1778. See *Echoes*, p. 79 and note.

§ Farrer then held a seat in the House of Commons as member for Wareham and was examined as a witness standing in his place as such. His evidence in nearly every particular confirmed what Impey had himself said. (MacFarlane's *Our Indian Empire*, vol. i., p. 292.) Farrer had returned to England in March 1778 (*Echoes*, p. 74) and gave evidence on 11th February 1788.

already said, on the 4th February, 1788.\* The speech which he delivered on the occasion was well worthy of him both as a lawyer and orator and had a very telling effect on the House of Commons which, accordingly, refused to impeach him.†

Lord Macaulay, as we have already said, savagely attacked Impey, representing him as "a fiend in human shape, and a very contemptible one."‡ This is, no doubt, the language of indignation when passion has got the better of reason. Sir James Stephen, on the other hand, has nobly vindicated his character. This well-known Judge and Jurist observes:—"There was nothing exceptionally great or good about him, but I see as little ground from his general character and behaviour to believe him guilty of the horrible crimes imputed to him as to suspect any of my own colleagues of such enormity."§ Impey was like many other

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\* Impey, however, retained the rank and title of Chief Justice up to the 10th November 1787, and in that capacity he was presented in 1784, by the Lord Chancellor, at the first levee held in Buckingham Palace, after his arrival in London; he then having the same character and wearing the same professional garb as when he took leave in 1774, eleven years before. (*Memoirs*, Chap. XVI.) Dr. Busted says that even after 1787, Impey held his office with its salary for four years more. So that, as a matter of fact and law, Chambers' Chief Justiceship did not commence until 1791. (*Echoes*, p. 74.)

† After the termination of these proceedings in May 1788, Impey called upon Lord Mansfield who, shaking him cordially by the hand, exclaimed, "So, Sir Elijah, you have passed safe over the coals." (*Memoirs*, p. 295 note.)

‡ As Mr. Buckland in his *Dictionary of Indian Biography* says:—"Owing to Burke (prompted by Francis) and to Mill's History (followed by Thornton and Macaulay) Impey was long regarded as "one of the ogres of Indian history, a traditional monster of cruelty and iniquity."

§ *Nuncoomar and Impey*, Vol. I, p. 35. Impey himself could not help shuddering at the enormity of the charge which had been trumped up against him. He in his memorable speech said:—"If the premises are true, then I am guilty, not of misdemeanour, but of murder. I am guilty of a murder of the basest, foulest, and most aggravated nature. From such premises that is the only true conclusion. I do not decline it. It would have been justice to have drawn it. My life would then have been forfeit, had I been found guilty; it would have been mercy to have sacrificed that life as an atonement for these enormous crimes, which, if I am convicted of (them), or am under the public imputation of having perpetrated (them) would become a burden too intolerable to be dragged to a distant grave." Unlike his friend Hastings, who was subjected to a very long and painful trial, which, though it ended favourably, left him a poor man, Sir Elijah's prosecution or persecution was of but very short duration, and he continued to retain the friendship and regard of his earlier acquaintances, and of some of the most eminent

Judges. "He seems to have had an excellent education, \* both legal and general, to have been a man of remarkable energy and courage, and a great deal of rather commonplace ability."† He was a good and sound lawyer as appears from the many learned and sensible decisions which he passed while presiding at the Supreme Court. Indeed, he possessed many of the qualities of a Judge, but it seems that at times he proved a little too impulsive, and paid but little heed to the "pauser reason." He was also an expert hand at drafting and law-making—a fact which is abundantly proved by the excellent code of laws which he prepared while holding the office of senior Judge of the Sadar Dewani Adalat. Although the Impey Code fell considerably short of Macaulay's Masterpiece of Criminal Legislation, still there could be no doubt that it did yeoman's service to the cause of justice in Bengal. Indeed, his code was the Bengal Judicial Officer's *vade mecum* for nearly a decade and a half.

Faults Sir Elijah had—and what human being has ever been without some—but there were many relieving features in his character which had the effect of throwing them on the background. He enjoyed a

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and best men of the day. At the general election in 1791 he was chosen to represent the borough of New Romney. He sat in the House of Commons till about 1797 when he retired into private life. In the meantime a considerable part of his fortune which he had invested in French funds had been lost in the troubles which attended the Revolution in France, and he found that he was not quite in a position to live decently in London. He, accordingly, parted with his town-house and removed to a country-house, Newick Park in Sussex, which he rented of Lord Vernon. There was not a man living in that distinguished neighbourhood, where good men were not and are not scarce, more generally esteemed for kindness of heart and for all social virtues. (*Our Indian Empire*, Vol. I, p. 327.) In his Sussex retirement, the ex-Chief Justice became a busy and rather enthusiastic horticulturist and farmer. He also passed some days in Paris, during which he had to witness the death of his friend and colleague, Sir Robert Chambers, on which sad occasion he made all arrangements for his funeral, and did his best to assist and console his widow and youngest daughter.

\* Impey was also well versed in French and he wrote and read Persian. *Dictionary of National Biography*.

† *Nuncoomar and Impey*, Vol. i, p. 34

wide popularity with all classes of people with whom he came in contact. His son and biographer is not unduly actuated by filial love nor seems to overcolour the picture when he says,—“Among the natives of Calcutta and its vicinity where he spent so many of the prime years of his life, he was exceedingly popular; nor had the pleasant recollection of him faded away many years after his departure.” \* It was also said that several addresses were presented to the retiring Chief Justice when he left, or rather was obliged to leave Indian service. These addresses were given by *all* the Armenians, *all* the Hindus and *all* the free Merchants. The address of the mercantile community had this peculiarity that, the gentleman whose name stood first on it was no other than Mr. Alexander Macrabie, † the brother-in law and friend of Philip Francis, the bitterest enemy of Impey and Hastings. ‡ All these circumstances plainly show that Sir Elijah was held in high esteem and enjoyed a wide popularity.

There are two portraits § of Sir Elijah in the High Court, one by Tilly Kettle and the other by Zoffany. || Both of these pieces of painting are well executed and do no small credit to the artists who did them. When the Victoria Memorial Hall becomes an accomplished fact, out of these two excellent portraits one is, as Lord Curzon hopes, likely to grace that great National Institution.

At the close of 1801 Sir Elijah, with his wife and two of his children, set out for Paris, where he had

\* See Impey's *Memoirs*, p. 273, 2nd Edition, 1857.

† Macrabie died at Ganjam, but not, as was said, in 1776.

‡ See *Our Indian Empire*, Vol. I., p. 285 and note.

§ Dr. Busteed has noticed only the portrait by Tilly Kettle. This portrait was executed in 1776, shortly after the trial of Nanda Kumar; the other after Impey had left India.

|| Sir John Zoffany was a Royal Academician. He was resident in Calcutta in 1787 and after. See H. B. Hyde's *The Parish of Bengal*. (1678 to 1788).

invested a part of his fortune and was in a fair way to lose it. While residing at the French capital, he saw Chambers fall ill, and sincere friend that he was, Impey attended him throughout his last illness, and when the latter died, "arranged his funeral and followed him to the grave" in that foreign land.

Having settled his business—or rather having had it settled for him, for he lost his money and was nearly losing his liberty—Impey returned to England. In the course of the year 1804 the family was again re-united at Newick Park in the County of Sussex.

Sir Elijah\* reached a good old age and died in his retirement at Newick Park on the 1st October 1809, but his remains† were interred in the family vault at Hammersmith, where a plain monument was erected to his memory. In that silent, solemn and sacred recess repose the ashes of the first Chief Justice of Bengal. His reputation has survived the calumnies of party; and the present generation will yet do him the justice which their ancestors had denied.

SIUUMBHOO CHUNDER DEY.

HOOGHLY.

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\* Impey's Park at Calcutta is recalled by Park Street and the main avenue thereof by Middleton Row. (See Sir A. Colvin's *Life of his father, John Russell Colvin*, in the *Rulers of India* series, Chap. II). The house now occupied by the Loretto Convent at the end of Middleton Row was the garden-house of Mr. Henry Vansittart, Governor of Bengal, 1760-64. It was occupied by Chief Justice Impey, 1774-82, and also by Bishop Heber for a few months in 1824. It was a grand spacious house. Of the house and its park the Rev. J. Long has written in his picturesque fashion. "It was surrounded," he tells us, "by a fine wall, a large tank was in front, a guard of *Sipahis* was allowed to patrol about the house and grounds at night, and occasionally firing off their guns and muskets to keep off the dacoits." It is said that in Sir Elijah's day, *palki*-bearers required double fares for going so far beyond town limits as this old "garden-house" then was, and that servants returning to Calcutta would go in gangs "leaving their good clothes behind" for fear of being stripped by dacoits on the way.

† See *Echoes*, p. 73.

#### **Art. IV.—ANCIENT HINDU CIVILISATION EMBODIED IN SANSKRIT SACRED LITERATURE.**

**T**HE Theological, Philosophical, Literary and Scientific works of the ancient Hindus were all written in Sanskrit which has been characterised by Sir William Jones to be of a wonderful structure ; more perfect than the Greek, more copious than the Latin, and more exquisitely refined than either. From the Vedas to Manu Sanhita and from the latter to the Puranas, the change has been exactly in the same proportion as from the fragments of Numa to the Twelve Tables and from those to the works of Cicero. The primary doctrine of the Vedas is the unity of God. The three principal manifestations of the Deity (Brahma, Vishnu and Siva) with other personified attributes and energies are indeed mentioned but the worship of deified heroes is no part of the system.

Manu's Code seems rather to be the work of a learned man designed to set forth his idea of a perfect commonwealth under Hindu institutions. On this supposition it would show the state of society as correctly as a legal code ; since it is evident that it incorporates the existing laws, and any alterations it may have introduced with a view to bring them up to its preconceived standard of perfection must still have been drawn from the opinions which prevailed when it was written. The moral duties are in one place distinctly declared to be superior to the ceremonial ones but the general tendency of the Brahmin morality is rather towards innocence than active virtue and its main objects are to enjoy tranquillity and to prevent pain or evil to any

sentient being. The principal aim of the ancient Hindu Civilisation has been to attain spiritual perfection. Simplicity in material life and richness in intellectual and spiritual life were its principal characteristics. Mr. Elphinstone's History of India contains the following interesting account of the Hindus:—

Of all ancient nations, the Egyptians are the one whom the Hindus seem most to have resembled; it might be easier to compare them with the Greeks as painted by Homer who was nearly contemporary with the compilation of the code, and however inferior in spirit and energy as well as in elegance to that heroic race, yet on contrasting their law and form of administration, the state of arts of life and the general spirit of order and obedience to the laws, the Eastern nation seems clearly to have been in the more advanced stage of society. Their internal institutions were less rude, their conduct to their enemies more humane, their general learning was much more considerable and in the knowledge of the being and nature of God they were already in possession of a light which was but faintly perceived even by the loftiest intellects in the best day of Athens. Yet the Greeks were polished by free communication with many nations and have recorded the improvements which they early derived from each while the Hindu civilisation grew up alone and thus acquired an original and peculiar character that continued to spread an interest over the higher stages of refinement to which its unaided efforts afterwards enabled to attain. The union of the village communities, each one forming a separate little state in itself, has contributed more than any other cause to the preservation of the people of India through the revolutions and changes which they have suffered and is in a high degree

conducive to their happiness and the enjoyment of a great portion of freedom and independence.

The Hindu religion presents a more natural course. It rose from the worship of the powers of nature to theism and then declined in scepticism with the learned and man-worship with the vulgar.

The high order of ancient Hindu civilisation is manifest from the loftiest philosophical idea of the Deity contained in the Upanishads summarised by Sankaracharya and Ramanuja.

According to the former, whatever is, is in reality one ; there truly exists only one Universal Being called Brahman or Paramatman, the highest Self. This Being is of an absolutely homogeneous nature ; is pure Being, or which comes to the same, pure intelligence or thought. Intelligence or thought is not to be predicated of Brahman as its attribute but constitutes its substance ; Brahman is not a thinking, but thought itself. It is absolutely destitute of qualities ; whatever qualities or attributes are conceivable, can only be denied of it. But if nothing exists but one absolutely simple Being, whence the appearance of the world by which we see ourselves surrounded, and in which we ourselves exist as individual beings ? Brahman, the answer runs, is associated with a certain power called *Maya* or *Abidya* to which the appearance of this world is entirely due. This power cannot be called Being (*sat*) for Being is only Brahman ; nor can it be called non-being (*asat*) in the strict sense, for it at any rate produces the appearance of the world. It is in fact a principle of illusion ; the undefinable cause owing to which there seems to exist a material world comprehending distinct individual existences. Being associated with this principle of illusion, Brahman is enabled to project the



appearance of the world, in the same way as a magician is able by his incomprehensible magical powers to produce illusory appearances of animate and inanimate beings. Maya thus constitutes the *upadana*, the material cause of the world, or if we wish to call attention to the circumstance, that Maya belongs to Brahman as a Sakti—we may say that the material cause of the world is Brahman in so far as it is associated with Maya. In this latter quality Brahman is more properly called *Iwara*, the Lord.

According to Ramanuja's account, there exists only one all-embracing Being called Brahman or the highest Self or the Lord. This Being is not destitute of attributes but rather endowed with all imaginable auspicious qualities. It is not intelligence as Sankara maintains but intelligence is its chief attribute. The Lord is all-pervading, all-powerful, all-knowing, all-merciful ; his nature is fundamentally antagonistic to all evil. He contains within himself whatever exists. While, according to Sankara, the only reality is to be found in the non-qualified homogeneous highest Brahman which can only be defined as pure Being or pure thought, all plurality being a mere illusion ; Brahman according to this view comprises within itself distinct elements of plurality which all of them lay claim to absolute reality of one and the same kind. Whatever is presented to us by ordinary experience, *viz.*, matter in all its various modifications and the individual souls of different classes and degrees, are essential real constituents of Brahman's nature. Matter and soul (*achit* and *chit*) constitute, according to Ramanuja's terminology, the body of the Lord ; they stand to him in the same relation of entire dependence and subserviency in which the matter forming an animal or vegetable body stands to its soul or

animating principle. Professor Max Müller differentiates the two systems of Vedic Philosophy propounded by Sankaracharya and Ramanuja, thus :—

Both systems teach *advaita*, i.e., non-duality or monism. There exist not several fundamentally distinct principles such as the *Prakriti* and the *Purusha* of the Sankhyas, but there exists only one all-embracing Being. While, however, the *advaita* taught by Sankara is a rigorous, absolute one; Ramanuja's doctrine has to be characterised *bisishtha advaita*, i.e., qualified non-duality, non-duality with a difference. According to Sankara, whatever is, is Brahman, and Brahman itself is absolutely homogeneous so that all difference and plurality must be illusory. According to Ramanuja also, whatever is, is Brahman; but Brahman is not of a homogeneous nature, but contains within itself elements of plurality owing to which it truly manifests itself in a diversified world. The world with its variety of natural forms of existence and individual souls is not unreal Maya but a real part of Brahman's nature, the body investing the universal Self. The Brahman of Sankara is in itself impersonal, a homogeneous mass of objectless thought. A personal God it becomes only through its association with the unreal principle of Maya so that, strictly speaking, Sankara's personal God, his *Iswara*, is himself something unreal. Ramanuja's Brahman, on the other hand, is essentially a personal God, the all-powerful and all-wise ruler of a real world permeated and animated by his spirit. There is thus no room for distinction between a *param nirguna* and a *param saguna* Brahman between Brahman and *Iswara*. Sankara's individual soul is Brahman in so far as limited by the unreal *upadhis* or materials due to Maya. The individual soul of Ramanuja, on the other hand, is really individual ;

it has indeed sprung from Brahman and is never outside Brahman, but nevertheless it enjoys a separate personal existence and will remain a personality for ever. The release from *sansara* or the worldly existence means, according to Sankara, the absolute merging of the individual soul in Brahman due to the dismissal of the erroneous notion that the soul is distinct from Brahman. According to Ramanuja, it only means the soul's passing from the troubles of earthly life into a kind of heaven or paradise where it will remain for ever in undisturbed personal bliss. As Ramannya does not distinguish a higher and lower Brahman, the distinction of a higher and lower knowledge is likewise not valid for him; the teaching of the Upanishads is not twofold but essentially one and leads the enlightened devotee to one result only. Whatever the true philosophy of the Upanishads may be, there remains the undenied fact that there exist and have existed since very ancient times not one but several essentially differing systems, all of which lay claim to the distinction of being the true representatives of the teaching of the Upanishads as well as of the Sutras.

There being a diversity of opinion on this all-important question, *viz.*, the nature of the Brahman, the world and the soul among the various systems of Hindu theology and philosophy, it may not be out of place here to enquire what light has been thrown on the subject by Western philosophy, noticing points of agreement between the two. According to Des Cartes, the father of modern philosophy, in order to know God as far as our nature admits, we have only to enquire respecting any attributes whether it possesses an element of perfection or of imperfection and to admit or reject it accordingly. According to Addison, by adding infinity

to any kind of perfection we enjoy and by joining all these different kinds of perfection in one Being, we form our idea of the Great Sovereign of Nature, Locke also holds a similar view. When we would frame an idea the most suitable, we can, to the Supreme Being, we enlarge everyone of these with our own idea of infinity ; and so putting them together make our complex idea of God.

Addison compares God and soul with the asymptotes of a hyperbola which draw nearer and nearer but never meet. As we have seen, this is also the view of Ramanuja who thinks that the soul cannot be merged in God in opposition to Sankara's doctrine of re-absorption.

But it does not require any long philosophical disquisition to arrive at the knowledge of God which is simple and self-evident. Such knowledge is intuitional and not derivative. As there must needs be different degrees of culture among mankind and as they are not gifted with equal intelligence, their responsibility as moral agents would seldom be compatible with the infinite Divine Justice and Mercy if their notion of God or Truth were to depend upon training. The perception of such truth or moral law is the function of conscience which cannot be educated. Conscience being immediate knowledge of such law, is not dependent upon training for its discovery, but training is necessary to reduce moral law to practice.

A family likeness between Eastern and Western conceptions of the nature of Godhead is evidenced from the fact that the Sankhya and Vedanta, the two principal schools of Hindu Philosophy comprehending the six Darshans, have their counterpart in the two European rival theories of Materialism and Theism. The Sankhya maintains the eternity of matter and its principal branch denies the being of God. The

Vedanta derives all things from God and one sect denies the eternity of matter. All the Indian systems, atheistical as well as theistical, agree in their object which is to teach the means of obtaining beatitude or deliverance from all corporeal encumbrances. The state of society in ancient India was not so bad as has been described by some English writers. The condition of the Sudras was much better than that of the public slaves under some ancient republics and indeed than that of the villains of the Middle Age or any other servile class with which we are acquainted. They were looked upon and treated by the Brahmanas more as children and dependants than as conquered slaves.

Mr. Ephinstone has drawn the following picture of the Indian villagers and townspeople :—

“The villagers are everywhere an inoffensive, amiable people, affectionate to their families, kind to their neighbours and towards all but the Government honest and sincere. The townspeople are of a more mixed character but they are quiet and orderly seldom disturbing the public peace by tumults or their own by private broils. On the whole if we except those connected with the Government they will bear a fair comparison with the people of England. Their advantages in religion and government give them a clear superiority to our middle class and even among the labouring class there are many to whom no parallel could be found in any rank or order ; but on the other hand, there is no set of people among the Hindus so depraved as the dregs of our great towns ; and the swarms of persons who live by fraud—sharpers, imposters, and adventurers of all descriptions from those who mix with the higher orders down to those who prey on the common people—are almost unknown in India.”

Civilisation to be perfect must combine the advantages of that of the East and the West, that is to say, spiritual perfection and material progress.

The evolution of a highly destined society must be moral; it must run in the grooves of the celestial wheels. It must be catholic in aims. What is moral? It is the respecting in action catholic or universal ends. Kant defines moral conduct thus: "Act always so that the immediate motive of thy will, may become a universal rule for all intelligent beings."

Civilisation depends upon morality, everything good in man leans on what is higher. Thus, all our strength and success in the work of our hands depend on our borrowing the aid of the elements. The forces of steam, gravitation, light, magnetism, wind, fire, serve us day by day and cost us nothing. "In strictness the vital refinements are the moral and intellectual steps. The appearance of the Hebrew Moses, of the Indian Buddha, in Greece of the Seven Wise Masters, of the acute and upright Socrates and of the Stoic Zeno,—in Judæa the advent of Jesus, and in modern Christendom, of the realists Huss, Savonarola and Luther, are causal facts which carry forward races to new convictions and elevate the rule of life."—Emerson on "Civilisation."

Morality and all the incidents of morality are essential; as justice to the citizen and personal liberty. "Countries," says Montesque, "are well cultivated not as they are fertile but as they are free;" and the remark holds not less but more true of the culture of men than of the tillage of land. And the highest proof of civility is that the whole public action of the State is directed on securing the greatest good of the greatest number.

K. C. KANJILAL, B. L.

## Art. V.—THE IMPERIAL CORONATION AT DELHI.

### SOME REFLECTIONS OF AN INDIAN MIND

IT has taken a century to realise by the British people that India is, after all, their only real empire. They have now happily recognised that the sheet anchor of their present greatness lies more in the "distant dependency containing chartered aliens" than in the "precious stone set in the silver sea." How the British race has been able to arrive at this ampler and more spacious conception it is very difficult to determine, for it is not long ago that British politicians were not wanting who would demur to any idea of the Indians being treated on a par with the inhabitants of the British Isles, and the other white citizens of the so-called British Empire, and who only regarded India as a portion of the burden of empire which Great Britain has unconsciously assumed without fully realising the magnitude and splendour of the responsibility involved in its maintenance. This old mischievous idea is fast dying out, and it is hoped that with the presence of the King of Great Britain and Ireland on Indian soil and his coronation by the Indian people as their Emperor in the stately city of Delhi, the British people would more solemnly realise the paramount importance of India in their ultimate struggle for existence, and the dynamic force that it must exercise in the future history of the world. India is no mere dead weight tied on to the heels of the British Empire, but a Dominion, a Continent, an Empire rich in its own personality, self-confident in its strength and quite competent to triumphantly emerge in the eventual struggle for existence

According to a great English politician, "the loss of India to England, if it ever takes place, would be fatal to the latter's existence as a nation; she could survive the loss of the United States of America, but she would not be able to withstand the loss of India." The visible exemplification of this great truth lies in the coming visit of the King to India which is also a fitting acknowledgment of the paramount importance which India holds in the British possessions. It would be foolish to deny the advantages which England has derived from her precious possession in the Orient. Ill-informed would be the critic who would deny that not the least of the bases of the security of the British Empire—nay, a principal condition of its strength—is the possession of the Indian Empire and the faithful attachment and service of the Indian people. And it would be still more childish to ignore the inestimable blessing the latter have been enjoying from their association with the former. The mutual benefit has been tremendous. The coming great event in India will symbolize the permanent and enduring character of the relation which the two countries bear to each other. May the bountiful Providence keep this relation forever happy, glorious and enduring.

To a section of the British people as much unimaginative in ideal as utilitarian in life, the coming coronation of King George V. in India involving the Indian people in an expenditure of about one crore and fifty lakhs of rupees, may appear as a "glorified circus," but it has a deep and far-reaching significance in an Oriental country. In the Hindustan of ancient chivalry and romance, of barbaric finery and mediæval pomp, the coronation is a national tradition; and the grandest of all earthly events for its teeming population is, without doubt,



the inauguration of their King. It is then that Heaven consecrates their monarch and strengthens in some way the ties that bind him with his people. The Eastern philosophers have never, carried away by their sceptical passions, described the ceremony as "bizarre and absurd," "entailing the most useless as well as the most ridiculous of useless expenditures." On the other hand, they have always regarded the crowning of their King as the solemn consecration of the title which he holds from his ancestors and the visible sign of that grace of God in the name of which he wields the sceptre.

In the India of the past the coronation ceremony was very expensive and used to be performed with gorgeous magnificence; and it is well that it should be so at the present day. No Indian statesman worthy of the name will regret, and no true Indian ever grudge, the expense. These ceremonials carried on right royally, "with the pride, pomp and circumstances of a glorious war," have as yet the most penetrating and most beneficial influence. They, if anything can, evoke more or less forcibly the personal loyalty of the subject. The world has not yet become so desperately rationalistic in politics and so utterly utilitarian in morals, but that Legitimacy—the divine right of Birth to rule and disinterested devotion to the person who for the time being is allowed to represent that principle—is still the support of not a few thrones. Such at any rate is the case in this country.

Socially and politically, India is still a good deal mediæval and feudal. To the surprise of the British officials who, for more than thirty years, had been reconstructing society in Upper India on a new and democratic basis the upheaval of 1857, more especially in Oudh, disclosed at once how abundant was still the attachment of the people to their natural and hereditary

lords, and how faithful, through good report and evil report, and at all risks, could many of those lords prove to the Paramount Power. It is now for British statesmanship to step in and encourage and improve on and direct these feelings and utilise them in support of the British crown and in the cause of good government and civilisation.

Englishmen in India have too much neglected to take note of the influence of imagination in politics, and hence their failure in India after a century of earnest effort; hence the unnecessary alarm at the phantom of Indian unrest. The historian of the Sepoy Mutiny has, therefore, omitted this as a cause almost equal to "Englishism" in producing a mutiny of almost unequalled magnitude. It would not be too much to say that men are governed as much by the imagination as by the reason; and as a matter of fact, child-like races like the people of India are more under the influence of idea than more matter-of-fact nations. Hence the eternal complaint of Anglo-Indians that the people of this country do not know their own interests. Hence the ill-success of the revenue settlements in the North-Western and the Oudh Provinces—settlements kicked away by the very masses in whose favour they were made.

The people of India are in what Comte would call the theological stage in politics and sociology. They do not like to take care of themselves; they want to rest on a superior, and as it is long before men can rise to the conception of a one God, so it will be some time before the masses throughout India can fully realise the idea of a one Government extending protection to, as entitled to the loyalty of, all. Meanwhile, as the masses look up to the national middlemen, these middlemen

little more advanced seek by a mental necessity a haven for their soul in a Personal Royalty. And if they must be content, as in the circumstances of India, they must, with a representative Royalty, that representative Royalty they expect to be right royal. And right royal have Lord Canning and his successors been in their periodical assumption of the representative royal character before the people.

It is a staple complaint of the Anglo-Indians that they cannot expect the Indian peoples to be as much loyal and attached to the English King as they themselves always are to His Majesty. Since the Mutiny this charge has been the principal stock-in-trade of several English writers and speakers. And no wonder, for these good people never take the trouble really to account for the seeming absence of attachment and loyalty to the English sovereign, and to see whether under any view the phenomenon, even though it be as real and extensive as they think it to be, is capable of justification, for it can hardly be imagined but that if they do, they would feel less surprise and moderate their denunciation. Loyalty being but gratitude and love in the political sphere—the gratitude and love or attachment of the subject to kings—the conditions do not alter by change of sphere. Is England sure that she has fulfilled her part of the conditions for securing genuine Indian loyalty? Have the detractors taken the pains to assure themselves that there has been no mistake, no act of commission or omission on the part of the rulers?

The ways of Englishmen and Indians are so different that there is great likelihood of frequent misunderstanding between the two peoples as to each other's mind. The chasm between them seems unfathomable.

has existed in all ages and exists still everywhere ; the inaccessibility of the former to Indian feeling seems not to have diminished a bit notwithstanding one hundred and fifty years' contact. Benefits conferred upon India by England in all sincerity have not been fully appreciated in consequence of the latter's neglect or incapacity to, in the first place, invest them with an Oriental form, to perform the acts in the ways of India, or, in the next, to announce them so as to be widely known to Orientals.

The wisdom of one man is the folly of another, even the truth of one age is the falsehood of the next. Even so the good of the West may turn out evil in the East. Such is the conflict between the lives and ideals of Europe and those of Asia. This cause of misunderstanding is intensified by the isolation from one another, in which in great measure for the very difference, the English and Indians live. Thus the acknowledgment of the services of the English—much of the essence of gratitude—may be the staple of conversation in Indian society, without it ever coming in a single instance to the ear of the English society ; and Anglo-Indians, sick at heart of the imaginary ingratitude and non-existent loyalty, may interpret the really honourable manliness of individual Indians as a clear proof of a preconcluded contumacy justifying the bitterest hate.

In spite of the deadening and repellent influences of a fossil religion and a minute division of society into innumerable classes, also fossil, each separated from the other by impassable barriers, the Hindu heart has maintained its original purity, its tenderness and constancy, and the instances of heroic fidelity and unswerving attachment, such as in other countries are heard of in fable, are of pretty common occurrence

among the Hindus. Hindu literature, of course, teems with such stories : Hindu history abounds with such facts.

The mutual attachment of masters and servants, of teachers and the taught, reaches in India to a degree which would not be believed in any other land. The affection between parents and sons, between even distant members of the same family, the attachment to country, to one's village, one's old homestead ; these are the difficulty of every reformer. The Hindu, more than any other, practically rejects the supremacy of reason

In such a country and among such a people, what is the relation between the rulers and the ruled, King and subjects ? Just what might be expected. This, of all the world, ought to be the home of loyalty and royal duty. Here loyalty must reach its highest perfection. And so it is. The sentiment of reverence for the Sovereign is deeply rooted in the most ancient traditions of all races and creeds of India.

No civilised nation, except the Hindus, has ever consecrated loyalty, ennobling it into a religious obligation. The King is represented in Hindu scriptures as a god, as many of the so-called gods in Hindu mythology appear to have been no more than powerful or benevolent ancient kings. To visit a king and make an offering to him is one of the highest kinds of pilgrimage. Among the daily religious duties of every Hindu citizen, be he Brahman or Kshattrya or Vaisya, the *shradh* holds a prominent place ; and from the fact that every *shradh* begins with a propitiatory offering to the King, the dignity of the King in the Hindu polity and society may be easily estimated. Whatever the cause of this, whether it means an enthusiasm for order and law as the cornerstone of society, the fact is there.

How fortunate must it be to be King in such a land must be the feeling of the royal clan throughout the world! What a great and noble title is it to be Emperor of India!\* England must be the most envied of sovereigns to rule such a nation! Not exactly so. England has hardly reaped a tittle of the advantage of the intense sentiment of loyalty which from of old pervades the Hindus. Not because, as a religious sentiment, it could not be accorded to *mlecchas*, aliens, for it has been invariably accorded to all the great monarchs of Hindustan who were alien in race to the majority of the peoples over whom they ruled. The scruple is, no doubt, there; but it sways very few minds. Many truly religious men, including Hindus of the most rigid orthodoxy, regard the British sovereignty in the same light as they would do the rule of one of their own people; they consider it obedience to God to accept with thankfulness and cheerfulness any power He pleases to set over them. Rich in her ancient tradition, India is also rich in the loyalty which has been kindled anew in her by the West.

This is the true spirit of Brahmanism which is never militant but is always purely ministerial. It was in this spirit, this tendency to identify the visible Sovereign of a great empire with the Almighty, that the Brahmins, under the government of another class of *mlecchas*, rendered the Moslem formula "Allah Akbar,"—God great or the "Great God"—as "God Akbar" the Emperor. The belief in the Great Mogul's divinity

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\* Lord Curzon in one of his speeches at the Delhi Durbar of 1903 said :—"To be King of the United Kingdom and of the British possessions beyond the Seas is a great and noble title. But to be Emperor of India is in no respect less and is in some respects greater. For powerful Empires existed and flourished here, while Englishmen were still wandering painted in the woods and when the British Colonies were wilderness and jungle; and India has left a deeper mark upon the history, the philosophy and the religion of mankind than any other territorial unit in the universe."

was expressed in the Sanskrit formula "the Emperor : God," or literally, "the Lord of Delhi (*Dilliswara* the Lord of the Universe (*Jagadiswara*)" and is part of the general belief.

How has England been so unfortunate? History has been her chief enemy. Loyalty requires an object that object has been denied to India ever since she has passed under the dominion of a European Power. No loyalty can arise without two persons, a king and subject. With European rule in India generally, the former has not been forthcoming; or where it has been forthcoming, it has been fatal to the claim of the European Power to loyalty. Loyalty is a distinct strong sentiment like patriotism, and is only possible where there is a distinct relation of king and subject; as patriotism is possible where there is a distinct nationality of country.

But the relation of the European Powers to India has never been of a definite character at all, and misunderstanding from difference of language and manner has added to the confusion. Europe, as the saying goes, entered the East as a needle and came out as an elephant. Every Western Power sought the privilege of commerce with these shores, and with that object permission to purchase land for making a warehouse the warehouse was clandestinely converted into a fort a settlement formed round the nucleus of the fort, and the settlement, by as many, but perhaps still more subtle, stages, developed into the empire.\*

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\* "As time passed and the English extended their settlements along both the coasts of India, they learned a second lesson. Towards the end of the seventeenth century the Mogal Empire began to disintegrate. Local rulers in outlying parts of the empire found that the control of the central power was growing slack and that they could do very much as they pleased. The more enterprising naturally began to plunder their neighbours, and the English found their trade impeded at every turn by vexatious exactions. Bitter experience showed them that no engagements and no orders were of avail against local lawlessness. They were, therefore

That is the European history of India in a nutshell—the history of every Western Power which has gained a footing in the East—the history pre-eminently of England, as the most successful Asiatic Power. It is really difficult to decide the point where the commercial character of England was determined and the sovereign character begun, or where the sovereign was superadded to the commercial character. It is still a moot point of law, and well it may be for the profound jurists and statesmen to decide it.\*

There is no doubt that the Agents of the East India Company whose acts constituted the assumption of kingly privileges were often unaware of the meaning of those acts—their employers always. Long after the East India Company had become sovereign of Bengal and was fast becoming of India, the Court of Directors ignored their position and understood not the clear drift of events. It is no wonder that the people of India were at a loss: they could not determine the *object* of their allegiance, were in uncertainty and distress, discontented within themselves and ridiculed by others.

Japhet in search of a father was nothing to this country in search of a king; this country distracted by a number of thrones, gold, silver and iron. The inappreciation of the Directors of their position and the

driven to the conclusion that they must protect themselves. They must break with the Moghal Government and must seize and fortify suitable posts to be trade centres in the different parts of the Empire. The Company, therefore, renounced its former policy of peaceful trade and adopted instead the policy advocated by Hedges and Charnock, and above all, by the brothers Child, the policy of fortified settlements."—*Early Annals of the English in Bengal*, Part II, Vol. II (1911).

\* BRITISH SUBJECTS.—This expression took its rise when the powers exercised by the Company's Government in India were exercised in the name and by the authority of Native Princes, whose subjects the natives at the commencement of our transactions in India, and for some time afterwards, were, as certainly as they are now, and long have been, the subjects of the British Crown. Probably the term British subjects has been retained in Acts of Parliament, after it ceased to have any true applicability as a distinctive term, because though it is certain that the allegiance of natives has changed, so strange has been our history that no man can point out when the change took place.—Sir John Peter Grant, 15th November 1858.



natural timidity of merchants in affairs of State, kept up the hollowness of forms. The King of Delhi was maintained long after England had taken his place. To whom was Indian loyalty due? To the form and insignia of sovereignty or to the reality of power? The British could hardly complain when they themselves paid or expressed their allegiance to the Mogul, if their example should be followed, specially when it conformed to old practice. Even when the timidity and shyness of the Directors gradually wore off with the practice of large political transactions, and they might be supposed to assume kingship, their position in their own country utterly prevented their doing so. Their position indeed was an anomaly, subjects in their own country, kings abroad! \*

Some of the European Powers, as the Portuguese, and sometimes each of the Powers, put forward the

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\* With reference to this peculiarly anomalous position the first Indian Law Commissioners with Lord Macaulay at their head, thus wrote in 1837 in submitting the first report on their labours: "This anomalous state of things may be, in some degree, explained by the singular manner in which the British Empire grew up. The East Indian Company was, during a long course of years, in theory at least, under two masters; it was subject to the king of England; it was subject to the great Mogul. It derived its corporate existence from the British Parliament; it held its territorial possessions by a grant from the Durbar of Delhi. It was long considered a wise policy to disguise the real power of the English under the forms of vassalage, and to leave to the Mogul and his Viceroy, the Nawab Nazim of Moorshidabad, the empty honour of sovereignty, which was really held by the Company. A great change indeed took place since the grant of the Dewanny in 1765 of the lower provinces to the Company, but it has taken place so gradually that though it would be absurd to deny that the natives of British India are now subjects of his Majesty, it would be impossible to point out the particular time when they became so. To these circumstances we attribute most of the anomalies which are to be found in the legal relation subsisting between the natives of India and the general Government of the Empire."

Mr. H. G. Keene in the Prefatory Note of his *Here and There* (1906) writes:—"In the earlier years of the last century, while the red colour was gradually stealing over the map of India, a very anomalous state of things certainly prevailed. To the vast majority of the population, the King of England was an absolutely unknown personage, and even the governing classes themselves took no account of that august being." The Company's coinage continued to bear no superscription save the name and title of the pensioned Emperor, who lived in the seclusion of the Delhi Palace; and when an official proclamation was announced it was in the following terms:—"The people is of God: the land is of the Emperor: the ordinances are of the Company."

names of their respective kings, and even sent separate sets of officers in those names. But, for the understanding of the people of the East this did not improve matters. The King's and the Company's servants were jealous of each other and quarrelled, and the King's sometimes had the worst of it in such conflicts. The struggle for power between the Governor-General in Council and the Supreme Court, and the dissensions within the Council at Calcutta and at Madras, were but vulgar provincial exaggerations of the contests in London—at the original seat or ultimate source of sovereignty—between the Cabinet of the Company and the Cabinet of the King.

And all these conflicts and anomalies, whether at home or abroad, were but natural results of the peculiar Constitution and of its working by the particular men. They were most bewildering to the people of India. In the eighteenth century they had petitioned the Crown against the depredations of its special representatives, the Judges of the Supreme Court, of Bengal. Even in the last century they had equal cause of complaint against the Crown's Court of Bombay. In each case the Company's servants and the Crown's nominees were at deadly feud, and in both the dilemmas that ensued, it was the discretion and firmness of the Company's Government that protected the people and saved the British power.

If these struggles for supremacy had surprised our countrymen, their outcome filled them with blank amazement. On both the occasions, 'as the result of appeal to the Home authorities, the King's own *sadrs* or chief *kadis* in the East had to yield their pretensions, with as much grace as they could command. After that it was still more difficult for the people of India to grasp

the idea of not only the independence of the Judges of the Supreme Court, but their absolute superiority, in their own sphere, to the Governor of the Presidency or the Governor-General of all India, or even the East India Company, or, for the matter of that, the Ministers.

Equally incomprehensible to them was the Court of Directors' first refusal to revoke, under ministerial dictation, the appointment of Sir George Barlow as Governor-General, and the same Court's final submission, under the same pressure, to the compromise of sending out the Indian Minister, Lord Minto, to India, to be the head of the Government there. No less confounding was the cancelment by one Ministry of their predecessors' royal appointment of Lord Heytesbury no sooner it was made, and the recall by the Company, against the Crown, of the Crown's favourite Governor-General, Lord Ellenborough, who had been regularly corresponding, in confidential familiarity, with not only the Ministers, but also the Sovereign direct. All these were so many puzzles. Our countrymen could not make head or tail of such a queer system. It was to them a mad polity!

So powerful and combative a firm of *mahajans* was strange to the people of India. However, under the best circumstances for royalty, the people of India got only a name. The King of Great Britain and Ireland or of France could be no more to them. But it was a name to which they could attach a meaning, because they knew the thing signified in their own country. But an Honourable Company of Merchants ruling over empires was beyond their comprehension, while the impersonal Government was an incubus upon their heart. A Government without a King—a machinery not a personality—with the unerring character of fate,

without love or hate as they fancied, and often found it, infinitely distressed their imagination.

There was no object for their loyal yearnings. In this stress they repeatedly tried to invest the Company with an imaginary personality. They could not think of impersonal power, given as they were to personify even the forces of nature. They had not had experience of any other than a personal Government. There is no word in their language for republic. So they spoke of Company Bahadur and thought of a man, and were continually corrected by those who were better instructed. It may well be imagined that such a history was fatal to the production of loyalty.

In the labyrinth of such a political arrangement, from which the King, for whatever he might be worth, was *ab initio* kept out, in which authority was distributed over a wide area, and whittled away, and then barely preserved between endless checks and counter-checks, loyalty had no room. Devotion was out of the question where there was no visible object to offer it to. Men have before run mad after an idea, a shadow, but it was really difficult for a people who had known a living and moving Royalty and saw still the magnificent wrecks of empire at Delhi, Kanoj, Agra, Bijapur, Dowlutabad, Mahabalipore, Madura, Jaunpur, Lucknow, Lahore, etc., to fall down and worship a name, nay, worse, the shifting, paid *employés* of a fetish.

The greatest difficulty in the way of Indian attachment and loyalty to the English sovereign has, therefore, been the impersonality of the Government during the British period. That was a machinery rather than a being. England's Indian dominion was acquired, and from the beginning long governed, by a mercantile firm. This peculiar character of their

immediate sovereign was not comprehended by—was indeed beyond the comprehension of—the Indian subjects of England in the East. They felt a great power, the same that had wrested the Empire of India from the Mogul, that kept armies in pay, fighting and conquering, humbling the highest and punishing the proud and contumacious, that made settlements of the soil and laid taxes on the people, that dispensed civil and criminal justice without respect to persons, that indeed had signalled its acquisition of a territorial footing in Bengal by executing for forgery the greatest Brahman of the Province, who was also the strongest Indian character of the age—a power to which Rajas and Nawabs were vassals, which pensioned off dynasties by the dozen, and only, half in pity, half in prudence, preserved the Emperor of Delhi as a *tableau vivant*.

But *who* put forth all this wonderful exhibition of power, was an unfathomable mystery to them. Loyalty, an essentially personal sentiment, was clearly impossible until this *who* was discovered. In his stead they beheld an indifferent puppet-show business in which there was not even a puppet king or puppet court. At best they saw a group of ever-shifting little dolls swathed in clothes to the chin, with white faces and hands, who seemed all alike and who certainly did not stay long\* to

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\* Meredith Townsend writes thus in his great *Asia and Europe* :—" Even in the minute official world and the minute garrison (of India) nothing is permanent. The Viceroy rules for five years, and departs. The Councillor advises for five years, and departs. The General commands for five years, and departs. The official serves thirty years probably in ten separate counties, and departs. There is not in India one ruling man whom two generations of Indians have known as ruling man. Of all that in Europe comes of continuousness, heredity, accumulated personal experience, or the wisdom of old age, there is in India not one trace, nor can there ever be. Imagine if in Europe no Sovereign or Premier or Commander-in-Chief ever lived six years ! Yet these men, thus shifting, thus changing, do the whole work of legislating, governing and administering, all that is done in the whole of Europe by all the sovereigns, all the statesmen, all the Parliaments, all the judges, revenue boards, prefects, magistrates, taxgatherers and police officers. They are 'The Empire' and there is no other. No ruler stays there to help, or criticise, or

enable the people to recognise their individual peculiarities. The utmost that they did was to hear a name—the meaning of it was beyond them. To a people confined at home and ignorant of geography, such expressions as British territory, the English Government, the English Governor-General or Commander, the British representative, the Governor of Fort St. George, were bewildering enough. The poor fellows were simply driven out into the open and shoreless sea when told of the Company. The Honourable East India Company, the United Company of Merchants trading to the East, made confusion worse confounded. The “subjects of the Company,” the “Company’s territory,” the “Company’s troops,” the “Company’s treasury,” the “Company’s gardens” were hopeless gibberish.

It was plain, however, that the Company was their master. What this Company was, man or thing, of what gender, of what place, was more than anybody could definitely say. People in vain stared at Government House at Calcutta or penetrated Barrackpore Park or peeped into the “Company’s gardens”—as the Royal Botanic Gardens at Seebpur are popularly called—to have a look at the great owner taking an airing. Under these circumstances it was no wonder that imagination should be busy in conjuring up all kinds of forms. The Anglo-Indian joke of the Company being a very old lady in Leadenhall Street, was implicitly believed in by many Indians; and well might they take the Company, of whom they had heard from the seventeenth

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moderate his successor. No successful white soldier founds a family. No white man who makes a fortune builds a house or buys an estate for his descendants. The very planter, the very engine driver, the very foreman of works, departs before he is sixty, leaving no child, or house, or trace of himself behind. No white man takes root in India, and the number even of sojourners is among those masses imperceptible.”

century, as very old indeed and of much more than male longevity !

The great historical critic Niebuhr noticed the incapacity of the Asiatic mind to grasp the idea of a corporate sovereign. Nor did the Company itself pretend to be "understood" of either its subjects or its feudatories and allies. So ill-assured was it of their comprehension that in all proceedings and writings intended for them it was careful to insist on its individual unity, to the entire suppression of its corporate or multiplex character. As if still doubtful of success in building up the impression of the personality and unity of the powerful political mercantile firm, the Company went the length of cultivating courtesy kinship, so to say, with men and women—its dupes and victims. It actually addressed terms of parental endearment to Muni Begum, and to this day at Murshidabad the concubine of Meer Jaffer is spoken of as the "mother of the East India Company." Thus the required illusion was created. Perhaps this was the best escape out of a bad business. For, after all, a little knowledge in the matter was more dangerous than absolute ignorance. Confessedly, into the best regulated minds of the primitive East, with its narrower experience, the names and powers of the Court of Directors, the Court of Proprietors, the Board of Control, the King, Ministers and the two Houses, introduced hopeless confusion.

The abolition of the East India Company simplified to a great deal the constitution of the country. But the haste with which and the moment at which, the abolition was accomplished were unworthy of all the act and the parties concerned. The measure seemed to involve grave risks which were pointed out by able writers at the time and embodied, many of

them, in the famous Petition of the Company. The simplification, from the change of the constitution, was undoubted. At this distance of time, people do not remember the extent of this boon. It was not from a double Government as it was called that the country was relieved, or from a triple or quadruple Government, but from a governmental maze—a complicated endless executive and legislative machinery. This complication, with its countless evils, chief of which perhaps the abolition of individuality and responsibility, by which fifty officers and departments laid claim to any successful or good work, thus discouraging merit and encouraging idleness, while not a single person or office could be laid hold of to fix a mistake or folly or crime upon, had had a curious effect on the mind of the Indian people. It lost them a king. It crowded their mind with a constitutional jungle in which they could not find the king. Hence they gave up in despair the pursuit of royalty.

The people of India had for generations seen the Great Mogul dwindle, and although they saw likewise the rise of another people, they saw not the corresponding rise of any man. No Great Saxon replaced the Great Mogul. The empire of Delhi succumbed to no Timur, no founder of a dynasty but to a system, a machinery, if not to an abstraction. Shah Allam was the last king of India. The following century was an interregnum in the minds of the people : with their monarchical and splendid longings, they were infinitely distressed by the vacancy in the throne. Without a king there was no possibility of a royal pageant, no room for the exercise of loyalty.

The abolition of the Company did more than abridge the distance between the sovereign and subjects and tore away the intermediate screens. It virtually for



the first time gave India a sovereign. Still the sovereign was but a name. The assumption of the Government by the Crown, which left the *naiib* and *amlah* (agent and officers) of the Company in their places, and continued the regulations and acts, rules and practices of the former administration, seemed and was to some extent, a paper change. The machinery of the several Presidential and Local Governments with Councils and Chief Commissioners and Lieutenant-Governors and Governors with separate executives and judiciaries and legislatures, capped by a Supreme Legislative and another Executive Council and a Governor-General, controlled by a Council and Minister in London himself but a member of the Government of England and subordinate to the Prime Minister and responsible to Parliament, itself a complication, seemed but a doubtful improvement upon the previous double Government.

A Royal personality was as little visible as ever. For all the gratitude that any Indians might feel towards the British rule for the benefits it had conferred on the country, the personal sentiment of loyalty could hardly arise. Paid agents are, no doubt, sufficient for business to meet all contingencies, but there is something which they can hardly do, and which is the end of statesmanship. They cannot evoke the soul-stirring loyalty and devotion of the people for the new *régime*, for loyalty wants a king or an adequate substitute, and there was none such. They cannot effect a political fusion between the nation and an alien Government. A king, though conqueror, even a prince of the blood royal, would gradually by the exercise of his personality, by simply allowing the national mind and heart and eye to feed on his person or name and feasts and feats and shows, dissipate the sense of foreign subjection from the

country. No succession of Cornwallises or Bentincks or Cannings or Curzons could do that.

Loyalty, like patriotism, is not, perhaps, a highly intelligent, or a very intelligible sentiment, but it is not to be despised on that account. It is a great fact and asset too. States are upheld not wholly by bayonets, or the calculating selfishness of subjects, any more than men can be moral from fear of the law or from a scientific theory of ethics. Loyalty—the personal attachment of peoples and chiefs—the devotion of subjects and of the holders of subordinate jurisdictions—goes a great way towards maintaining thrones. That sentiment does the work of arms and of policy. More efficient than mercenary levies, it is one of the chief vitalising and sustaining forces of the civil and the military services. What the blood of martyrs is to the church, that the sweat and blood of loyal adherents is to royal dynasties.

Throughout the world loyalty is on the wane. There is no help for it. Modern institutions are not favourable to it. Representative Government is its blight. The doctrine of the Sovereignty of the People cuts it at the very root ; with the progress of a self-conscious Demos it is continually driven from point to point, until it is finally kicked out of the political arena. The modern substitute of loyalty is patriotism. In India that change has yet to take effect. The fetishism of the worship of the state or of one's nativity is, indeed, the last development of political enlightenment. We are here still in the more primitive stage. It will be long before the masses\* can realise the conception of a

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\* Meredith Townsend in his immortal *Asia and Europe* writes :—“The Indian has everywhere framed his social system on the theory that power cannot be limited or restrained except by religion. Not only has he never thought of representative government, which even with the white man was a late discovery, and so to speak, a scientific one, but he has never thought of Government at all except as an

great worshipful empire and feel for it more than a passing interest—a genuine and generous concern so as to bleed and burn for it with fond zeal; it will be longer before their deep attachment to their immediate liege lords and natural leaders, is sublimated into allegiance to the Crown as the type and representative of the body politic.

The *sine quâ non* of genuine, that is personal, loyalty is personal government. The sentiment properly belongs to monarchy, be it large or in miniature. At the dawn of human history it was given to the patriarch or the prophet, while in later times it was claimed by, and readily paid to, the immediate lord or local chief. Such was the case in Feudal Europe. We are now in the predicament of Europe during the Middle Ages, when the people were bound to the barons and did not extend their vision beyond, the said barons being adherents of one overload or family or another. The progress of civilisation has shunted away the barons as intercepters of the people's loyalty to the throne, and the same progress will make in time the same change in India. Meanwhile, the barons of India were prepared for devotion to the first power that had skill enough to inspire it. They had not only capacity for loyalty—Indian history abounds with instances of as chivalric an attachment as any to be found in the world outside, but they were actually thirsting for an object for lavishing it upon.

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imitation of Government by Heaven or by the Destinies. He has from the days of Saul, and earlier, preferred that his ruler should be absolute, and there is not, and never has been, a brown community, in which the ruler had not the right to inflict death on a private person at his discretion. The Eastern Kings are not overthrown for despotism, and the reason is that their subjects like it, that it strikes and soothes their imaginations, that they think autocracy wielded by an individual who can fit his decision to each individual case, the perfection of beneficial energy and a reflex of the Government of the Most High. Unless the law is divine they dislike law as an instrument of Government, and prefer a flexible and movable human will which can be turned by prayers, threats or conciliations in money."

Not the least relief afforded to the people and barons of India by the assumption of the Government by the Crown is the freeing them from the burden of a subjection they had carried from year to year without knowing their master. That event for the first time after an age, gave India a sovereign to speak of and think of, a Lady composed of the same "five elements," which constitute the portion of Indian humanity, very proud perchance, but doubtless still amenable to pity and reason. Nevertheless, at that time, it was only by an effort that any Indian could, if he cared, realise a personal idea of his monarch. The seas and lands which intervene between him and his Sovereign, minify and make nebulous and uncertain the personality of the latter. The Indian hungered to see his Sovereign or have a glimpse of her or her train, or, at any rate, to hear of her from trustworthy reporters, and if possible, from those who had enjoyed the advantage of personal observation. He waited to contemplate the magnificence of her receptions and entertainments, the liberality of her gifts and the grandeur of her furniture and equipage.

The very prominence, unavoidable as it is, of the Secretary of State for India somewhat marred the conception of a personal sovereign. Her representatives, again continued the same changing set of paid servants who from the unsplendid lives they lead were unworthy conductors of a nation's loyalty to the throne. Under these grave and almost fatal difficulties, it was a great idea of Lord Canning's to strike the imagination of India with the wealth, power, magnificence and *danai* (we want an English equivalent) of the Empress of India by inaugurating her assumption of sovereignty with open-handed gifts that shamed the liberality of the

Mogul, and stately pageants which all in all far outshone the glitter of the Court of Shah Jehan himself. These gifts and the grand Durbar then held for the first time, made English Raj a visible royal entity.

The idea was as markedly successful as its felicity deserved, and Lord Canning's successors' recurrence to the Durbar, and specially Sir John Lawrence's regularly periodical recurrence to it, as a means of impressing the people, has established it as one of the institutions of the Indian Empire. From that time we have had something of a Court, and these periodical Durbars form now the most prominent function of British Indian Court life.

But in all these great State pageants and solemnities the real figure of the Empress of India did not appear: she was represented by a paid servant—a "superfluous phantom"—to whom the homage of her loyal feudatories and the acclamations of her Indian people were paid. The crown of all the Indias was also not visible in these great celebrations. Hence there was certainly something wanting in these grand ceremonials to thrill the imagination of a sentimental people and inflame in their heart of hearts that deep seated devotion to a common sovereign though alien in race.

The visit of the Duke of Edinburgh to India in 1871 partially supplied the want by giving to the people of India a reflex glimpse of their august sovereign—in fact made the assumption of direct Government of India by his Grace's illustrious mother a partial reality. The political and national importance of this first semi-royal visit and the reception accorded to the Duke by the people and feudatories of India made a deep impression not only on the august sovereign but to the dæmonic imagination of Benjamin Disraeli.

a chartered alien, it disclosed the vision of an infinite potentiality for imperial consolidation. In 1874 he became first Minister of the British Empire, and inspired by his noble and brilliant imperialistic spirit, persuaded Her late Majesty Queen Victoria to send the future first Emperor of India to visit the greatest dependency, and to acquire by personal contact the advantages of acquaintance with the ruling chiefs and the people and of a knowledge of the cities of this ancient and famous Empire. This visit which took place in 1875-76 not only inspired the future Emperor with goodwill and affection for the Indian people, but made, for the first time after an age, loyalty a possibility in India.

Disraeli "with a poet's eye in fine frenzy rolling" clearly perceived in the splendid acclamations accorded to the eldest son of Queen Victoria by the Indian people what an important asset a loyal and devoted India would be to the splendour and stability of the British Empire. Hence as a further advance in the direction of Imperial consolidation he advised Her Majesty to mark the visit of the Prince of Wales by taking some title which should seem to connect India more closely with England and to mark more distinctly her sovereignty of the Empire of India than she could do at the time of the transfer of the Government of India from the East India Company.\* Accordingly the Royal Titles Bill was introduced in February and passed in April 1876 enabling Her Majesty to add to the Royal Style and Titles the title of Empress of India.

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\* The Duke of Richmond and Gordon in moving the Second Reading of the Royal Titles Bill in the House of Lords on 30th March 1876 said :—"At the time of the transfer of the Government of India from the East India Company to Her Majesty, I believe there is no doubt whatever that the assumption of a title by Her Majesty in connection with her Indian dominions would have been acquiesced in

The Imperial title was assumed by Queen Victoria in a Royal Proclamation given at the Court of Windsor on the 28th April 1876, which was published in India by Lord Lytton, Viceroy and Governor-General, on the 18th August 1876. As a logical corollary to Disraeli's brilliant conception an Imperial Assemblage was called at Delhi on the 1st January 1877 for the purpose of proclaiming to the Queen's subjects throughout India the gracious sentiments which had induced Her Majesty to make to Her Sovereign style and titles an addition specially intended to mark Her Majesty's interest in this great Dependency of her Crown, and her Royal confidence in the loyalty and affection of the Princes and people of India. In this Imperial Assemblage whose audience chiefly consisted of highly paid officials and some prominent Indian chiefs and nobles, the Viceroy was the principal figure and the real figure of the Empress of India did not appear on the scene.

After the death of the first Empress of India in 1901 a second Imperial Assemblage was held at Delhi on the 1st January 1903 on a much grander scale by Lord Curzon, then Viceroy and Governor-General of India, to celebrate the coronation of King Edward VII in India. To the eye the effect produced was certainly greater than the brilliant Bohemianism of Lord Lytton could impinge, but on the heart of those who attended the ceremonial, the sum total of the

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and agreed to by Parliament and the country ; but the state of India at the time did not permit of such a course being taken. While the embers of the mutiny were still smouldering, and while considerable excitement in connection with that rebellion still existed throughout that vast continent, it would scarcely have been expedient to take the step now proposed. It was thought that the transfer should be effected in as quiet a manner as possible, in order that no possible reason could be afforded on our part for a continuance of that excitement."

In both Houses of Parliament the Bill encountered vehement opposition. Among others Mr. Gladstone opposed the measure with great force and considerably reduced the Conservative majority. Mr. Disraeli could tide over the difficulty with a slender support of his party.

impression was less satisfactory than before. The personality of the Sovereign was absent; India could not see his face and listen to his voice; only an elephant procession and a political speech delivered in English which was unintelligible to most of the Indian audience were what constituted the chief part of the function.

To an Oriental people such a ceremonial shorn of all religious observances was nothing more than a show, and the spectacular grandeur vanished from their minds as soon as the ceremony came to a close. Mere addition to the Imperial title and its proclamation in an Imperial Assemblage are not quite sufficient to wake the personal loyalty of a mass of humanity which is a fifth of the population of the world. It is rather a saddening reflection that the British statesmen have hitherto failed to recognise the chief thing which still pulsates so vigorously the Indian world. But there is time yet to rectify the past error. The coming coronation, if it is to fulfil the object for which it is to be held in India, should be strictly Oriental in form, as it is going to take place in an Oriental country among an Oriental people. King George V will be the first British Emperor to be crowned in the Orient. As such, the coronation ceremony should be according to Oriental ideas.

In plain language, if the true purpose of the assumption of the Crown is to be fully demonstrated to the Oriental people, the only way to do so would be to demonstrate the ceremony in a purely oriental way; that would immensely strike the imagination of the people and evoke most forcibly the fervent loyalty of the subjects. The utilitarian matter-of-fact, democratic ideas of the West in the matter of coronation should never be allowed to dominate the Indian ceremony. Her late Majesty the Queen-Empress of India when instructing



Lord Derby to draft the celebrated Proclamation of 1858 asked him to bear in mind that it was a female Sovereign "who speaks to more than 1,000,000 of *Eastern* people on assuming the direct Government over them." On this occasion too the officials who are making arrangements for the coming Coronation should bear in mind that an alien Sovereign is coming among 300 millions of Oriental peoples for assuming the Imperial Crown. The ceremony should be entirely of a non-political character, and if less "tall hats and frockcoats and masher trousers" are seen, the better for the greatest experiment ever made by Europe in Asia.

A LOYAL ORIENTAL.

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## Art. VI.—OUR THACKERAY.

### A CENTENARY RETROSPECT.

“ And on that grave, where English oak and holly  
And laurel wreaths entwine,  
Deem it not all a too presumptuous folly,  
This spray of *Eastern* pine.”

THE last century has indeed been an epoch in the intellectual assertion of man. Almost every particular factor in this movement is in origin at least as old as the Renaissance, except that of fiction which is comparatively a child by the side of its Titan brothers ; so much so, in fact, that some of the great ones, of the age in question, may be called pioneers, although the term “ old Masters ” has been applied to them, without any anachronism, of course, by Mr. Barry Pain. The first decade of the present century, perhaps because a reaction has set in, has not been proportionately fruitful in the creative branches of literature. But in the critical it has maintained its place. Nature, as is well known, is lavish out of necessity and not because of any fantastic moods. The cellars of the near past are well stored, and hence arises the demand for examination ; some of the bottles may be broken and gone, but the cobweb and dust of years may increase the value of others. With this purpose of survey in view we now stand before William Makepeace Thackeray. A hundred years it is since he saw the light of day. To-day across the gulf of a century we greet him, who is judged to be one of those—

“ Dead but sceptred sovereigns who still rule  
Our spirits from their urns.”

And what a greeting it must be ! We, in India, and more especially the citizens of Calcutta, are bound to

him by a thousand little ties, and we feel a peculiar pride, all our own, in calling him Our Thackeray, with more reasons, we believe, than the Germans who hail the Swan of Avon as "*Unser* Shakespear." This interest of ours in the novelist, over and above the fact of being tinged with all that is felt by the world in general, possesses an element that belongs only to itself. The interest which arises out of the recognition of the existence of a prophet is ours; that bond of union which has its root in the respect and honour paid to a noble specimen of humanity, as that specimen can be loved and respected at this distant date by his self-left relics, is no less ours; add to these facts that to-day the city, where he was born, stands as the centre of the world celebration, and the children of this city partake of a *singular* interest derived from this accident of birth, and one aspect of our claims is complete.

And ours is not merely a one-sided interest nor does it end with what some dry-as-dust doctors are pleased to term this sentimental abstraction about the accident of birth. Thackeray himself from the time that he left Calcutta to his latest days preserved a warm corner in his heart for the land of his birth. Forty-four years later in one of his Roundabout papers in the *Cornhill* he wrote with well-marked significance "of a ghaut or river-stairs at Calcutta and of a day when down those steps to a boat which was in waiting came two children whose mothers remained on shore." One of these was, of course, himself and the other his cousin Sir Richmond Shakespeare. In a variety of other ways he has shown that "the dark and turbaned faces among whom he passed his infancy and the landscapes with which that infancy was familiar—the palm, the rice-fields,

the tanks and the dark blue sky constantly appeared to him in dreams." The House at Alipore in which he lived with his parents he sketched for his aunt on his arrival in England, not omitting, as the old lady wrote, the monkey looking out of the window and black Betty at the top drying towels.

In his works there are a hundred recollections, at times running off into a wonderful vein of pathos, at others instinct with merriment and sarcasm; here using these as a field for martial exploits, there for livelier set-offs for the presentation of his characters. The "oriental" adventures of Major Geoghagan, Mr. Charles Honeyman "who no longer preached in Lady Whittlesea's Chapel, but had gone out to India," the Collector of Buggley Wallah, that Waterloo hero, his love episode of Dum Dum, the failure of the Bundelkhund Bank involving in its smash the fortunes of Colonel Newcome, the later mercantile relations of Old Sedley, with India—these are but a few of the typical examples with which his pages abound.

The history of the Thackerays in India\* stretches back to the early days of the East India Company. They were a family of great repute in their days, occupying, as they did, positions of trust and influence in many of the great centres of civil and military administration. To us of the present day they are a source of interest not merely from the fact of association, but constituting a growth, a culture which culminated after a century and a half in the blossoming of one of the greatest novelists of the world. The force of heredity combined with the potent influence of early environment and moulded the genius of Thackeray. His

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\*For a complete account of this subject the reader may consult the interesting monograph, of Sir W. W. Hunter, on the Thackerays and Some Calcutta graves.

grandfather, himself a William Makepeace, sailed on board the *Camden* in January 1766, to hold the post of a writer in the Hon'ble John Company's service. The old English blood in him asserted itself before long and from this not over-exalted position he rose into prominence. He married Amelia Webb on the 13th of January 1776, as the register of St. John's records.

The father of the novelist occupies a more conspicuous figure, though one that was cut-off in the very prime of life. He was a noted Bengal civilian, famous by reason of his talents and acquirements. Within a few years of his appointment he came to hold the much coveted collectorship of the 24-Pergunnahs, then considered to be one of the prizes of the Bengal Civil Service. In society, we are led to believe he must have been a brilliant personality, and we cannot help remarking, that he must have broken the hearts of many an ambitious matchmaker. The picture that we can draw of him, from the records of those elder days, is that of a young man of prepossessing ways and captivating manners, one of much frankness and sparkling fashion. There is a curious record of him in the *Calcutta Gazette* of 1807. He appears with Elphinstone to have given a peculiarly splendid masque ball. The rooms were gaily decorated with flower and foliage and before 10-30 P.M. 300 masqueraders disported themselves in their gorgeously fantastic costumes. Among these was a "quack doctor anxious to dispose of his medicines which had the singular property of curing the diseases of the mind. He directed his attention to the female part of his audience whom he professed to cure of their propensity to scandal." We wonder how this amazing piece of frankness was received by the objects of his concern. There was further "an ambassador from the

Emperor of Morocco—a capital mask at least ten feet high, attended by his armour-bearer, a dwarf.” Another source of attraction was a nurse with a babe, in leading strings, measuring about six feet in height. This amiable infant is recorded to have managed its rattle “with great address.” There was also a ghost, twelve feet high. “It was encountered by a jack-tar who mistook his night cap for a mainsail, which Jack instantly proceeded to reef.”

Richmond Thackeray married Anne Becher, the then “reigning beauty” of Calcutta, on the 13th of October 1810. The two belonged to an old established Bengal family. Hers was a personality which, by the great influence it exercised upon her son, is of extreme importance to the biographer. Mr. Merivale describes her with intense feeling and the simple profuseness with which the novelist always testified to his reverence for her, the great thoughtfulness, with which the son, himself sorrow-stricken and disappointed in the very bloom of life, softened the jagged days of his mother, show that hers was an attraction that derived its essential charms from something considerably different from physical facts. The bond between the two was of an extremely close knitting; the pathetic way in which he refers to the “ghaut-scene;” the childish letters from England; the later Charterhouse correspondence, in one of which he assured her that he was very industrious though he couldn’t get the head to think so; the comforting home he provided for her in her old days; all these are indications of an influence with which his works and life were permeated. “Walk into the drawing room,” he said, “there sits an old lady of more than four score years, serene, kind and as beautiful in her age as in her youth. She is as simple as if she

never had any flattery to dazzle her. Can that have been anything but a good life, which, after more than eighty years of it was spent, is so calm?"

Before we conclude about his family let us mention a few interesting facts in connection with some of his relations, and Calcutta. Charles Thackeray, an uncle of the novelist, was one of the "staff of heavy writers" of the *Englishman* in 1832. It will be remembered that a certain Mr. Stocqueler had bought the Tory newspaper *John Bull*, which was then suffering the fate, which newspapers are prone to suffer for the airing of out-of-date sentiments. It was this latter gentleman, who, with a view to prolonging its life, transformed it into a liberal paper, as also changing its name and engaging "a staff of heavy writers," as we have said. Again, James Rennell, the geographer, married one of the novelist's aunts and Bengal was the place where he first came into fame. Peter Moore, a civilian and a radical politician of considerable fame, married his mother's sister. In 1806 he narrowly missed becoming a Member of the Supreme Council. The grave of his father stands in the North Park Street Cemetery,—it is a brick monument consisting of a squat column upon an oblong base. Now it stands mouldy, with the mould of a hundred years.

On the 18th of July 1811 William Makepeace Thackeray was born at Calcutta. There is an amount of interesting speculation about the house of his birth. Till a few years back it was held that the Armenian College in Free School Street, was the place. It would be pleasant to trace the origin of this gratifying rumour, which had almost established itself as a fact. It has been pointed out to us by Mr. E. W. Madge, of the Imperial Library, that the first

mention in print of the Armenian College as being Thackeray's birthplace occurs in Harper's Magazine of February 1891, in the course of an article signed J. F. Hurst. The information was possibly given to the writer during his visit to Calcutta by an aged resident, Mr. Andrews, who had known Lord Macaulay in the thirties and is mentioned in connection with the latter in the Magazine article in question. We have never been able to find any real evidence to support this Armenian College theory. Even Lady Ritchie has said that she had never heard of this place being authoritatively mentioned as her father's birthplace. Thus, to-day, in the course of the celebration of the hundredth anniversary of his birth, we occupy quite a novel position,—the very object that would add considerably to the importance of the occasion is unknown to us. We are, however, not altogether anchorless.

On the 3rd of January 1812, a few weeks before the birth of his great contemporary Dickens, in St. John's (Old Cathedral) William Makepeace Thackeray was baptized, by Chaplain James Ward. It may not be generally known that this second name of his is not the result of any sponsorial amiability but was inherited, if we may say so, from an ancestor of a puritanical cast, a martyr to the religious persecutions of Queen Mary. The church itself is a place rich in historic lore. At the same font, by the same chaplain, on the 12th August 1809, was baptized the Eurasian poet-reformer Henry Derozio.\* The conception of this Cathedral, its erection, the very stones, which gave to it, its native name of "Pathur Girja," the mural tablets, the musty but romantic records—all these are the birthright of Anglo-Indian history.

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\* Mr. Madge points this fact out in his "Lecture on Derozio."



The first five years of young William's life was spent at Calcutta with his parents, who had, after the birth of their son, removed to that already famous house at Alipore, "the Country-lodge of Philip Francis, the villa *inter paludes*,—where he held his weekly symposiums." His later association, charming in its own way, stands eclipsed before the mightier name with which the house is connected. This is the scene of the sketch to which we have above referred and by the aid of this drawing he would illustrate to his aunt in England the happenings of this house and above all would point out with pride the large room where his mother would collect numbers of people to celebrate his birthday. His birthday! What a thrill this threadbare word creates to-day, after the waves of a hundred years have spent their ravaging force upon the pleasant home and its inmates! The house still stands, though not in its original state. We yet possess this memento which the sea-girt home of his father would be proud to call its own. We are all hero-worshippers born and bred, even as the wish of Thackeray, to have been the shoe-black of Shakespeare or to have been in readiness with Fielding's coffee of a morning, showed that he himself was one of an extraordinary degree. But this is no day for apologies.

It would flavour of incompleteness if we were to conclude at this point, without attempting a general survey of his position in English Literature in these days. Professor Saintsbury, perhaps the sanest critic of modern times (we are no upholders of the insanity theory of genius) has spoken and the world has accepted his dictum. In the centenary number of the London "Bookman," he writes: "No other writer with whom I am acquainted, save Shakespeare himself, and no

other novelist at all, has this infallible and almost divine power of infusing life into every human figure that he creates, and that he even touches for a momentary purpose."

Platitudinous, as it may seem, we must here remark that criticisms, of works of the fifties or so, must have clearly in view the standards of procedure. The lapse of half a century is of extreme importance in these matters. This fact, self-evident as it is, is often ignored, thus giving birth to gems in the way of criticism. One writer, long since consigned to the dust and silence of the upper shelf, doubted with all seriousness whether Thackeray would survive the test of fifty years !

One of the things he is charged with is cynicism and that he showed a distorted aspect of life. This question has been the subject of so much misdirected, though at times honest, criticism, that we shall merely offer a few general remarks upon it. Anyone who has even cursorily studied his life in connection with those of his contemporaries cannot fail to be struck by the extraordinary sympathy that existed between them. We cannot stretch our imagination to conceive of a loveable pessimist. The fact is that any catchword is liable to set literary wiseacres on fire, making them in their dull pertinacity as wise as bulldogs. The days, of "liberty, equality, and fraternity" are not yet forgotten. Cynicism is a fine term to tag on to an author and it is no less fine to assume intensely epigrammatic airs to vary the dull monotony of drawing-room interchanges of literary opinions. Thackeray's was a nature not to be comprehended by formulas and hence by the grasping power of these critics. The complexities of human nature are unravelled best by those who *see* best. Thus to fully understand that which he depicts we must, if

we can, occupy the same standpoint. Few are able to soar to those dizzy heights and see life as he saw. He presented that aspect which appeared to him the most strikingly true as to him the most truthful appeared the most beautiful. "If truth," said Charlotte Brontë "were again a goddess, I would make Thackeray her high priest."

And after all what is life? The very doctrine of evolution brings in the idea of struggle, suffering, and disappointment, and therefore if he has erred in not having eliminated in his works the painful phases he has done so on good precedent. We demand of a novelist to hold up the mirror to nature and when he does so, we call him a cynic and a pessimist. And well we might—who ever likes to see himself as others see him.

Further, what did his contemporaries think of him? The greatest of these, Dickens, shows directly and indirectly the loving and the lovable nature of the man, a nature that was ever full with the milk of human kindness, that always had a tear for misery and wretchedness, no matter in what vile form they may have appeared. Do not his very villains exhibit this? But of this later. Trollope tells us that he resigned the editorship of the *Cornhill* "because he couldn't bear to tell the ambitious aspirant that his efforts were vain and worse again when a lady was his suppliant." Once when he was trying for the candidature of a certain place he asked Dickens to "come down and make a speech and tell the electors who he was, for he doubted whether there were more than two who had ever heard of him and that there were as many as six or eight who had heard of Boz." \*

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\* "In Memoriam" by Dickens, in the February number of *Cornhill*, 1864.

After his death someone wrote of him :—

“ He was a cynic ! By his life all wrought  
 “ Of generous acts, mild words and gentle ways ;  
 “ This heart wide open to all kindly thought,  
 “ His hand so quick to give, his tongue to praise.  
 “ He was a cynic ! you might read it writ.  
 “ In that broad brow crowned with silver hair  
 “ In those blue eyes with child-like candour lit,  
 “ In that sweet smile his lips were wont to wear.”

The characters that he depicts also bear witness to these facts. He never has such monstrosities as a consummate villain or a perfectly virtuous man in his books. Hence the title of his masterpiece, “A novel without a hero.” Barry Lindon, Rawdon Crawley, Dobbin, with his clumsy hands and splay feet, Ethel Newcome, Amelia, these are some of the typical instances. He preached the sermon of *vanitas vanitatum*, bright hopes—bitter disappointment.

Then take his love for children. It is said that he himself preserved much of the boy throughout his whole life. This affection is in itself a sure indication of a warm and generous heart. He one day asked Dickens whether the latter felt as he did in regard of never seeing a boy without wanting instantly to give him a sovereign. In a hundred other ways he has disclosed to us this side of his nature : the grief of Barry Lindon over the memory picture of the only being he ever loved in life, his son ; Rawdon's pathetic confidence to Lady Jane, as they left the sponging house—“you don't know how I'm changed since I knew you and little Rawdy,”—Lady Kew and Ethel ; all these display how he viewed the subtle problem of human life.

He has been branded with the charge of “ignorance with regard to the fair sex.” His Amelia, Rebecca, Lady Castlewood, and even Laura have all been called into question. Our former arguments, it will be noticed,

apply to this case as well. Thackeray, unlike many of the early Victorian writers, did not allegorize heaven in his books. He was an "old struggler" himself and narrated all that seemed to him worth telling to help his readers either to enjoy life or to endure it. "A *good woman*" he said "is the loveliest flower that blooms under heaven and we look with love and wonder upon its silent grace, its pure fragrance, its delicate bloom of beauty." He found such a woman in his mother.

In general, however, the fame of Thackeray stands on a basis as solid as the pedestal of his newly-chiselled bust for St. John's. He has taken his place in the hearts of the dumb millions and thence his unparalleled position in the world's literature. He is dead these fifty years or so and yet lives with an intensity that defies the ravages of time, having become a portion of the antiquity which lives for ever. His expressed ambition was to be reckoned among the world-classics. He has lived his century and "has begun to assume the dignity," to use the words of Dr. Johnson, "of an ancient and claims the privilege of established fame and prescriptive veneration."

Scarcely has the word *Ave* left our lips when we must perforce utter *Vale*. With what a blend of feelings we had conjured up, but a minute before, this meeting, and now we must part, how differently. But this is no time for tears—this day when a hundred years ago was born in this city "the prime master of the full-grown English tongue." We cannot do better than conclude with his own words:—

"We bow to heaven that will'd it so  
 "That darkly rules the fate of all  
 "That sends the respite or the blow  
 "That's free to give or recall."

CALCUTTA, 18th July 1911. N. C. LEHARRY.

## CRITICAL NOTICE.

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**THE LIFE OF GRISH CHUNDER GHOSE**—Founder and First Editor of the “Hindu Patriot” and the “Bengalee.” By one who knew him. Edited by his grandson, Manmathanath Ghose, M.A. R. Cambray and Co., Calcutta, 1911. Pp. 239, Royal 8vo. Price Rs. 2-8.

“WE doubt whether the rising generation is acquainted even with his name.”—Such is the frank avowal made in the introductory chapter of this memoir of Grish Chunder Ghose. Yet he was a good and talented man who led a most useful and blameless life and certainly deserves to be held in remembrance. Hence in bringing out this record, more than forty years after his death, his grandson has performed what may, for want of a better word, be described as a “filial” duty.

Before proceeding further we may present the following brief outline of the life of this publicist and patriot. Babu Grish Chunder Ghose was born at Calcutta in 1829, the year in which Lord William Bentinck abolished the rite of *Sati* and the Brahmo Samaj was established by Rajah Ram Mohun Roy. He was the youngest of three brothers, all of whom developed literary tastes. They received at the Oriental Seminary (where a scholarship is still awarded in Grish Chunder Ghose's name) “the benefit of a sound English education unalloyed by missionary influences.” Leaving school at sixteen, he first entered the Financial Department as a junior clerk, and in the year 1850 joined the Military Pay Examiner's Office, where he eventually rose to become the Registrar. He had started a weekly paper, the *Bengal Recorder*, which after a run of three or four years was converted into the *Hindoo Patriot*. In 1856 Hurrish Chunder Mookerjee became its editor, although Grish Chunder still continued to contribute to it. But when, in May 1862, the *Bengalee* was established he undertook to edit that journal (then a weekly) in addition to his official duties. It is certain

that the restrictions against Government servants writing for the Press did not in those days exist, or, if they did, they must have been conveniently ignored! In any case, possessed as Grish was of a patriotic and independent spirit, he rendered signal service to the cause of journalism in Bengal half a century ago. Through the influence of Colonel G. B. Malleson, both he and his elder brother Khetter were, in recognition of their literary abilities, elected members of the Dalhousie Institute. Grish, who was a fine, well-developed man of regular and abstemious habits, died of typhoid fever on the 20th September 1869, at the comparatively early age of forty years. Besides his contributions to the *Calcutta Monthly Review*, *Mookerjee's Magazine* and other periodicals of the time, he was the author of a life of Ram Dulal Dey, the Bengali millionaire, published in 1868.

The work before us contains a great deal of valuable information relating to the early history of the Anglo-Bengali Press. Although written primarily for Indian readers, its perusal should not prove uninteresting to others. Fleeting glimpses are afforded of characters, more or less interesting in their way, whom the Anglo-Indian world has long lost sight of and forgotten. Here we are introduced to Herman Geoffroy, barrister and schoolmaster, who "even in his drunken moments contributed very much to our progress in English literature;" to Gour Mohun Addy, founder of the Oriental Seminary, who always dreaded travelling by water, and, curiously enough, was drowned in the Hooghly in the only river-journey he ever undertook in his life; to Derozio, the youthful Eurasian poet and teacher, whose "large lustrous eyes unmistakably betrayed his genius;" to Colonel A. Goldie, who, with his two daughters by a Hindustani wife,\* was murdered at Cawnpore during the Mutiny; to kind-hearted Major T. B. Harrison, who used to compel his subordinates to take leave by rotation, lest their health should give way under the strain of office-work, and who once fearlessly issued a retrenchment against the head of his Department, Colonel A. Broome; as well as to many another attractive personality of the past.

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\*According to Shepherd, Forrest, and other authorities on the subject, Mrs. Goldie was also massacred.

Letters have been described as "the very pulse of biography." In addition to his other accomplishments Grish Chunder was no slipshod letter-writer. Appendix A is made up of twenty-six of his letters, which unfortunately happens to be the only batch of them the biographer could lay his hand on. They are all addressed to the same person (his brother Sree Nath, a Deputy Collector at Balasore and Bhadrak) and are compressed between the three years 1855-58. Although this includes the eventful period of the Mutiny, that all-important event does not bulk largely in the correspondence. It, however, affords the writer an occasion to have a "fling" at the Calcutta Volunteers. "The redoubtable Volunteers (he writes) still patrol the streets at night and annoy honest men who fall in their way." Indeed we are told more than once in the course of the book that Grish was the writer of certain "crushing articles against the Volunteers." This may amuse—but need not distress—English readers, for up to date these gallant sons of Mars would scarcely appear to have been "crushed"! Here is another arrestive extract from a letter of the year previous: "Lord Canning has relieved Lord Dalhousie and the latter has sneaked away to England. ~~There~~ was an attempt made to present Lord Dalhousie with an address, but nobody, with the exception of a few placemen, would sign such a document, and the Secretary accordingly had recourse to the infallible expedient of sending the parchment round with begging letters to the public offices in which, as in duty bound, it speedily got filled up." But he sometimes allows his style to take a more playful turn, as when, for instance, he writes:—"What sunshine is to the Laplander . . . what a lottery prize is to the pauper, what a new beauty is to the voluptuary, even such has your letter of the 7th instant proved to me. I feel like the porter who has just discharged a crushing load, like the sleeping man who has awoke from a nightmare, like a felon at the gallows who has been hailed with a reprieve." From this book at least it is clear that in those days our Indian friends did not resent being called "natives" or being addressed as "Babu"; indeed they invariably used to apply those terms to themselves. Appendix C contains nineteen letters of 1868 and 1869, addressed



to the subject of the memoir, all, again, from the same person, Principal S. Lobb of the Hughli College, a Positivist. But dealing, as they do, entirely with metaphysical subjects, they can scarcely be expected to interest the general reader.

Again, the ordinary reader is scarcely likely to detect the few mistakes occurring here and there in the work, and which, after all, are not important ones. For instance, Bland of Algebraical celebrity was never a Bishop, nor (if the *Dictionary of National Biography* may be accepted as an authority) was Dr. Robert Tytler of the Hindu College a son of the eminent historian, Patrick Fraser Tytler. Further, we believe Sir George Kellner's designation at Cyprus was not Accountant-General but Financial Commissioner. Nor can we agree with the author that *The Children of the Abbey* by Mrs. Regina Maria Roche "still maintains a certain degree of popularity." Originally published in 1798, both authoress and novel have long been consigned to the limbo of things forgotten.

The book contains four portraits, but unfortunately no index. The solecisms are so few and far between that it almost seems unkind to refer to their existence. The work is well written, in a pleasing style; but (we say this in all kindness) if any fault may be found, it lies in the author's habit of somewhat unnecessarily interlarding his observations with quotations—due no doubt to inexperience. He has done his work well, and the matter is unexceptionable. The editor hopes "to present the public with a goodly volume of [Grish Chunder's] selected writings in the course of next year." We, for our part, may also hope his intention will be fully justified by the success of the present venture. Tastefully bound in bottle-green cloth and clearly printed (at the "Valmiki" Press) it has been brought out by Messrs. R. Cambray and Co., the well-known law publishers of this city. It may be added without exaggeration that nobody will be able to rise from a perusal of this memoir without sharing Colonel Malleeson's opinion of its subject: "I never knew a more upright man, one possessing to a higher degree the qualities of manliness, independence and love of virtue." And, in conclusion, as polite Oriental epistles used in olden days to end off—"What more can be written?"

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